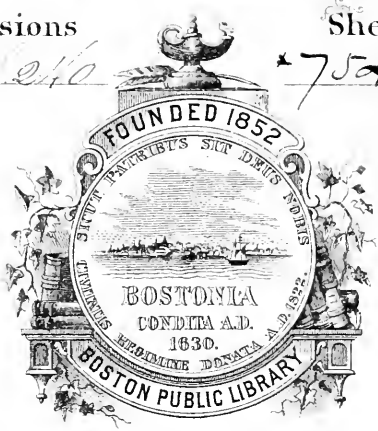

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A

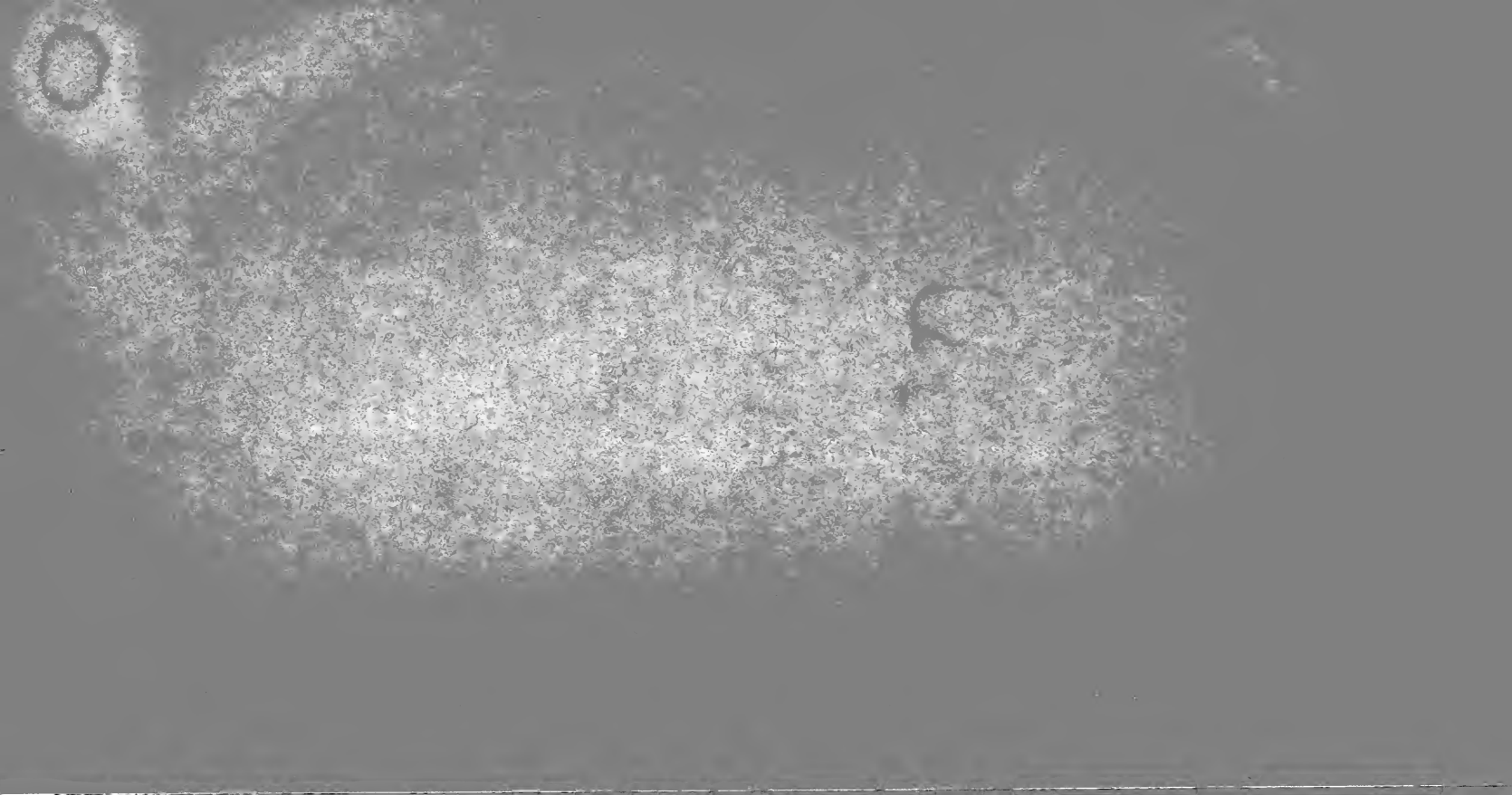
REVIEW

OF

"The Result of an Ecclesiastical Council convened at Salem, Mass., December 4, 1849."

BY

MEMBERS OF THE ESSEX SOUTH CONFERENCE.



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ESSEX SOUTH CONFERENCE.

BOSTON:
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1850.

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REVIEW.

THE "Result" of the latest Ex parte Council, in the Howard Street controversy, has come before the public with no common premonitions and professions. The Council have undertaken an extended and elaborate discussion of the complex subject before them; and seem to have undoubting confidence in the conclusions which they have adopted. And if the weight of an opinion is in proportion to the strength of conviction with which it is held, or the boldness with which it is advanced, they must be allowed to have established their point beyond the possibility of refutation. But if the truth of any doctrine depends upon the arguments by which it is supported, then we think that a little less assurance would better become the manner in which their views are defended.

Those who have been much acquainted with the discussions which have been held, respecting the Howard Street question, at the meetings of the Essex South Conference, as well as on other occasions, will find little that is essentially new in the positions which the Council have taken, and the reasons upon which they ground their Result. There is nothing of consequence adduced, by way of objection to the power of a church to disband by vote of a majority, which has not occurred to those who sustain the affirmative of the question, and which has not also received their careful attention.

It was stated in the synopsis of the Result of Council, as given in the "Congregationalist," that "there was great need of recurring to the fundamental principles of Congregationalism, for what has taken place evinces that both ministers and churches have too much neglected them. Had the views of our fathers, and the principles of our system, been familiar to them, this question could not have come up as it has." And it had just before been said: "It appeared that the positions assumed by the Tabernacle Church and the Conference, were based not on a profession of original investigations, but on an appeal to Congregational precedents, usages, and principles."

It really never occurred to us, we confess, that the Tabernacle Church and the Conference ought to have "based" their "positions on *a profession of original investigations*"! And we do not now see the exact propriety or consistency of the intimation; for, if we have rightly read their Result, the Council themselves would not wish to be interpreted, as having "based" their own "positions" "on a

profession of original investigations"; but, on the contrary, as "having had perfect understanding of all things from the very first."

After reading what appeared in the "Congregationalist," we were naturally led to expect, that the Council would present something, which had escaped the observation or research of those gifted with less sagacity than themselves. But we have been disappointed in finding nothing exhibited, which does not lie on the very surface, and quite open to the remark of those who have taken the most superficial view of the opinions and practices of the fathers, who framed the Congregational system. It was indeed quite natural, perhaps, that *some* of those who prepared this Result should suppose themselves possessed of superior knowledge of our ecclesiastical forms; and quite as natural that they should wish the public to be informed of their high attainments,—especially upon so good authority as their own convictions. We do not undertake to deny, that the gentlemen may be peculiarly distinguished for their knowledge of the ecclesiastical system of New England; and when they will bring other and better evidence of their claim, than the pamphlet under review furnishes, we will endeavor to give it the most candid attention, and allow it all its just weight. They must permit us to say, however, that arguments which failed of producing conviction, before the subject was submitted to the Council, appear no stronger when put in the imposing form of a Result,—accompanied with strong asseverations, and expressions of unmitigated disapprobation of the alleged new doctrines, which they stigmatize and attempt to overthrow.

In all their proceedings, Mr. Goss, of the Tabernacle Church—whose alleged grievance was made the occasion of this Council—was in reality of but little importance. It is only necessary to know, that he left Salem for California, a few days after the assembling of the Council, December 4th; that the Council, with the full knowledge of his purpose to leave, recommended an enlargement of their numbers, by a new edition of his Letters Missive; and that they voted an adjournment to December 18th,—at which time, Mr. Goss himself was in mid ocean, between New York and Chagres. Of this fact, however, the Result has given the public not the least intimation!

The Council voted Mr. Goss to be in good standing in the Tabernacle Church, "so far as" they were "advised,"—and yet at least one half of them had never asked him a question, nor had ever seen his face! They advised him to apply again for a letter of dismission from the Tabernacle Church,—and if a letter of dismission in good and regular standing be not granted, those at Howard Street are advised and authorized by the said Council, to receive him as a worthy member of their body! Thus have they, as if a High Court of Appeals, absolutely adjudicated upon the standing of a member of the Tabernacle Church, in utter disregard and disallowance of the known views and opinions of that Church;—that member being, also, at the very time, far away on the high seas,—in the expectation of a long absence on the other side of this North American continent!

We ask now, in solemn earnest, of our Congregational brethren generally, if the like has ever been known among us, from the beginning hitherto? And we have also to ask, whether, if these things are so, it would be very difficult for the Tabernacle Church to convene, at

an early day, a much larger Council; and whether it would be altogether extraordinary, if such Council should pronounce an unanimous and unqualified disapproval of such proceedings of their brethren?

Some explanation of these proceedings, which many will consider most mysterious, may be furnished in the sequel of our review. But if we were at liberty to relate in full all that we might, there would be very little of mystery left.

Of the "Result" in general, it may be truly said, that it gives very great satisfaction to those who prepared it, as well as those for whose immediate pleasure, and in conformity to whose will, it was prepared. It first very briefly disposes of the case of Mr. Goss, so far as relates to his standing in the Tabernacle Church, but distorting and misrepresenting it, in every essential point; and then proceeds with a detailed and very carefully prepared statement of reasons for condemning and disallowing the vote of the majority by which the Howard Street Church was declared to be dissolved. In the Appendix, we find most of the documents in the case, both in general and particular,—*except the Letter Missive of Mr. Goss.* There were some proceedings and votes also of the Tabernacle Church, which the Council did not happen to have before them; but which they may be more surprised than gratified, to find in this review of their doings.

No one appeared as a witness before the Council, except those who were personally committed, by opinion and action, on the side of Mr. Goss or of those at Howard Street. All questions, however, pertaining to the majority, or the minority of the original Howard Street Church;—to the Council which advised the disbandment of that Church;—or to the Essex South Conference, which denied the delegates of the minority a right to a seat in the Conference;—or to the Tabernacle Church, in recognizing the validity of the act of the majority of the Howard Street Church;—or to the incidental claims of Mr. Goss to good standing in the Tabernacle Church and to a letter of dismission;—all questions upon these points, to say nothing of others, this Result of an *Ex parte Council* assumes to have been considered, adjudicated, and settled finally and forever,—most easily, most wisely, most perfectly, and triumphantly!

This, we are free to say, is a little beyond what the public had expected of them,—and, as we think, quite as much as they have accomplished. We must also be allowed to add, that the course pursued by two previous Councils, did not altogether encourage us to expect, that, as a body, the brethren of the new Council would, in any proper manner, investigate the facts or apply the principles, which are so important to a correct judgment upon the Howard Street question, or upon the incidental or secondary matter of Mr. Goss. The proceedings have been far more objectionable, than we could have allowed ourselves to anticipate. It is on this account mainly, that we shall present a full statement of the case of Mr. Goss, with particulars which we should have been glad to omit; in order that the disinterested and impartial in our churches may see what an encroachment upon their independence and rights of discipline has been attempted, if not perpetrated, under the plausible pretence of vindicating the liberties and privileges of an individual. At the very least, it will be seen from our exhibition of the true standing of Mr. Goss, and the ac-

tion of the Tabernacle Church, that it is but small confidence that can safely be reposed in the Results of Ex parte Councils.

According to the designs of the founders of our Congregational system, an ex-parte Council was to be called, only in the last resort, and in a very obvious case of urgent necessity. About thirty years since it had become so common to have recourse to such Councils,—that the subject arrested the very special attention of some of our most intelligent and judicious ministers. And the General Association of Massachusetts, in 1823, passed a vote,—*That it be recommended to the ministers connected with this Associaton, not to attend ex-parte Councils, without much deliberation and obvious and urgent necessity.*

Of late years, this wise and wholesome recommendation would seem to have been entirely forgotten, and by those too who might have been presumed to be well aware of it, and to be ready always to fulfill its purpose to the very letter. We are amazed, that some at least of the older members of the late Council should not have better remembered the above vote of the General Association. We wish always to regard the brethren of this Council, with most cordial respect and esteem. And therefore it is, that we feel the more intensely mortified, that they should have suffered themselves to be so deceived and misled, or should have so deceived themselves, as to have given the enemies of our system of Church polity, one of the most palpable of all occasions ever afforded *for reproach and railing accusation.* If the pastors and lay brethren are not more vigilant in regard to ex-parte Councils, the day is near, when it will be true beyond dispute,—that such Councils may be so chosen at any time, be so constituted, and be so controlled, as to issue any kind of result whatsoever, at the will of any disaffected member, or of any pestilent faction in our churches.

§ *The true standing of Mr. Goss, in the Tabernacle Church.*

Mr. Ezekiel Goss joined the Tabernacle Church in 1832. He was then a very young man. His disposition appeared to be amiable and his Christian profession truly sincere. In a few years, he began to exhibit very unequivocal indications of a mode of thinking and speaking upon various important subjects, religious, moral, and political,—which awakened very serious apprehensions, relative to his Christian stability and usefulness. In a church which in no respect has given countenance to the spirit of ultraism, he found himself at times quite dissatisfied and uncomfortable. He was not always "slow to speak," and to attempt to express his sentiments *impromptu,* upon any question, however new to him, or however difficult; very much as if he had reason to claim an intuitive and unerring perception, both of what is true and what is scriptural. And so intensely were his thoughts absorbed by the subject of slave-holding, that he was sure to give it the greatest prominence, whenever he led in prayer, let the place or the occasion be what it might.

He had, however, concluded to say no more to the Church, in speeches on this subject, just about the time when a case of discipline arose, growing out of the infatuation of *Millerism.* An individual, who had withdrawn from the Church, and had desired no longer to be considered a member, was found to be irreclaimable, after all appropri-

ate efforts had been made to restore him to his place. It was hoped in charity, that he had not forfeited his title to be thought a Christian, although he was the victim of a gross delusion. Mr. Goss, without the smallest assistance from any member of the Church, most determinedly opposed the action of the Church in withdrawing all watch and care from that member. The established rules of the Church, and the most convincing arguments for withdrawal from those "walking disorderly," he resisted and denounced as if wholly unscriptural and unwarranted. He contended, also, that if the Church passed a vote of withdrawal, as proposed, it would be the same, as to exclude the member from the kingdom of heaven! And in maintaining such views, he occupied the time of the Church, for the greater part of two evenings.

He was greatly displeased with some of his brethren, and particularly offended with the pastor. He immediately left the weekly meetings of the Church, which he had been accustomed to attend with a most exemplary punctuality; and attended them no more. This was in May, 1846, nearly a whole year, it should be noted, before the act of dissolution of the Howard Street Church. Very soon after this act he not only absented himself from the weekly meetings, but also from the house of worship and from the communion of the Church to which he belongs. In the winter of 1847–8, he was rarely seen at the Tabernacle; and early in the ensuing Spring, if not earlier, he was at the communion of the Church, for the last time.

Meanwhile, during all the period which followed his abandonment of the Church meetings, he had been perfectly open in his complaints of the pastor, and of the Church generally. He was conversed with kindly;—was reasoned with;—and was solicited to return to his place;—in short, every suitable means was used to convince him that he was wrong in his views of the pastor and the Church, and wrong in his feelings. Much tenderness and forbearance were exercised towards him, on his own account; and also from regard to his family, and particular friends in the Church.

He became more and more untractable,—the more he associated with the minority at Howard Street, and the more he identified himself with their controversy. Very severe reproaches against the Church have fallen from his lips,—when vindicating his absence from the Church,—although the brethren to whom he spoke, were among the mildest in manner, and most worthy of his love and respect. Very wide from the truth is the intimation of the Result, (p. 9) upon his authority, that he had never been "admonished in covenant fidelity," as one that was "doing wrong."

Repeatedly had his absence from the Church, and his wrong feelings, been a subject of remark, in the private deliberations of the officers of the Church. And the question had been discussed, whether in the regular mode a process of discipline should be commenced, for "disorderly walk." It was on the whole thought expedient to delay somewhat longer, for reasons just mentioned; and, also, lest, as the Howard Street Question had become so "vexed" and irritating, the true motive of the discipline should not be appreciated, and the case should be embarrassed by entanglements with other issues than its own.

But the case would have been brought to the notice of the Church, by a formal process,—in a very short time,—and measures were already in contemplation,—when his request was handed to the pastor, that he should "be dismissed and recommended to the Howard Street Church."

The request was communicated, August 24. A brother of the Church, who, as one of the officers, had known of the case as it had been viewed in the private deliberations referred to, and who himself was ready, as complainant, to proceed at a proper time,—immediately arose, and stated his objections to a compliance with the request. He spoke at some length upon the spirit and the feelings, which his brother Goss had manifested,—in conversations which he had had with him,—and of which he had heard from others. He mentioned also, that the long absence of brother Goss from the Church was in his view of it a sufficient reason why his request could not then be granted.

Another member of the Church added, that beside what had been said, there would be an objection to the request, because of the standing of those at Howard Street. There would be an inconsistency in the doings of the Church, if brother Goss should be recommended in the manner requested; for the Tabernacle Church had considered the Howard Street Church as having been dissolved. Much less, however, was said upon this point, than upon the manner in which brother Goss had left the Church, and the feelings of alienation from his breth ren, which he had appeared to cherish.

One member of the Church, who from the first had taken a different view of the Howard Street question, expressed an opinion, that the Church ought to be perfectly open and undisguised in acting upon the request of brother Goss. To this the pastor responded his entire concurrence; and stated, that in his judgment the course of brother Goss had been such, that he could not, at the present time, be recommended to any church. He said that, although it was very common in churches to recommend persons, as in good and regular standing, when in fact they were not in "*good*" standing,—and in one or two instances he believed the Tabernacle Church had so done;—yet he had long since determined,—as he had already more than once avowed the determination in their hearing,—that he would never consent to a mode of procedure, which he could not but regard as a breach of good faith towards sister churches.

He also stated, that such had been the proceedings of the Church, particularly in receiving members from Howard Street, as if the Church had been dissolved,—that it could not be consistent for the Church to dismiss brother Goss, according to his request, even if there were no difficulties arising from the manner in which he had left the Church.

When the pastor closed his remarks, it was moved and voted,

"*That under existing circumstances the request of brother Goss cannot be granted.*"*

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* The late Clerk of the Church made a record, that "after some discussion in a kindly manner, it was voted not to grant the request, in view of existing circumstances." But his note to Mr. Goss, as published in the Appendix to the Result of the Council, reads as follows:

Salem, Aug. 25, 1849.

To Mr. E. Goss,—At a meeting of the Tabernacle Church last evening your

These were the exact words of the vote, according to the remembrance of the pastor, and the Minutes also, which, in anticipation of certain contingencies, he thought best himself to keep. And from what has been developed, in the progress of the case, it seems very providential that he should have kept such Minutes.

It is here important to notice distinctly, that the objections to brother Goss's request,—which related to him personally,—were not offered as *accusations*, or *charges*. It is not the manner of the Tabernacle Church to put any of its members *on trial*, or to entertain any *charges* against its members, until a complaint has been presented, according to the model in the 18th of Matthew. The prescription of the Saviour, relative to private offences, has, for many years, been very rigorously observed, in all cases whatever.

What was said of Mr. Goss, was said from the occasion which he had himself created. Objections, on the ground of his manner of leaving the Church, and of his long absence, with the accompanying circumstances,—in a word, his *irregular* and *disorderly walk*,—were offered, just as objections would have been, if he had been known, or was supposed, to be guilty of an act of immorality. He had no right to claim to be in *good* standing, simply because he had not been "dealt with" in a disciplinary manner. Most assuredly a member may be obnoxious to discipline,—and may be a most flagrant offender, —although the "first step" may not have been taken, to bring his case before the Church for adjudication. And we demur, altogether, at the "opinion of the Council, that when a member applies for letters of testimonial and dismission, and no process of discipline is pending against him, he is entitled to receive them unless some brother declares that he is offended, and will take immediate steps of gospel discipline in respect to it. Otherwise a member could never secure his rights, so long as either the pastor or any other brother saw fit to say, that perhaps hereafter he should commence discipline."—*Result*, *p.* 10.

The brethren of the Church have some "rights," as well as the petitioner; and among these the right to determine when and in what manner, they will proceed in a case of discipline. Most inexpedient might it be, to "*take immediate steps*." There is no one thing, in regard to which more wisdom is necessary, than in choosing or fixing *the time* for a process of church discipline.

If the petitioner for a letter of dismission should be informed, that there are objections in the way, he ought, as a Christian brother, to submit patiently to the delay of the Church, until such delay is clearly *unreasonable*. And to say, as the Council do, that "he is entitled to receive letters of testimonial and dismission, if no process of discipline is pending, or *unless some brother declares that he is offended, and will take immediate steps* of gospel discipline, in respect to it,"—would seem to us to be about as pure Congregationalism, according to the "Platforms" and the "Fathers," as it would be for the pastor of a church to go into the meeting of another church, and, in the very

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request was presented, and after some discussion in *a kindly manner*, the following vote was passed:

"Viz.—That in view of the circumstances in *the case*, the request be not granted. HUMPHREY COOK, *Ch. Clerk*."

face of the pastor of that church, assist in an effort to compel him to ask a dismission.

September 7th, or two weeks after the request of brother Goss had been refused,—a letter was received from him, asking for a statement of the reasons why it was not granted. Without any discussion whatever, it was immediately voted, that two of the deacons of the Church should be a Committee to wait upon brother Goss, and state to him the reasons.

No instructions were given them. The simple object was, to converse with brother Goss, in a kind, fraternal manner, and answer any questions which he might be disposed to ask. It may also be added, that an interview with him would very soon have been had, without any vote of the Church.

One week afterwards, or September 14, in the known absence of the pastor, and at a meeting, which was also known to be not the regular meeting for business, a communication was presented to the Church, purporting to be an answer of Mr. Goss to the statements of the Committee of the Church, who had waited upon him the evening previous.

After some remarks, a brother of the Church earnestly moved the following resolution:—"*Resolved, That the explanations of brother Goss, in regard to his leaving the Church with unkind feelings, be accepted by this Church as perfectly satisfactory.*"

Strenuous effort was made by the mover to obtain a vote upon this resolution. The Committee in regard to whose statements Mr. Goss had sent his communication, reminded the Church, that they had neither reported their doings, nor did they intend to report that evening. The communication and the resolution were laid upon the table. Such was the statement of facts, which was made to the pastor, on his return home; and of which there can be no contradiction. It was now apparent, that influences out of the Church were not withheld, in an attempt to coerce the Church to recede from the ground, which had been intelligently and deliberately taken, and "in all good conscience."

September 28, at the regular meeting for business, the Committee appointed Sept. 7, made their report.

To the Tabernacle Church.

The Committee appointed to explain to Br. Ezekiel Goss the reasons why the Church could not grant his request to be dismissed and recommended to the Howard Street Church, so called, have attended to the service.

Agreeably to what was stated at the time his request was acted upon, the Committee informed Br. Goss that it would not be at all consistent for this Church to grant his request, because the standing of those with whom he desired to be connected is considered by this Church to be irregular.

The Committee also stated to Br. Goss that his own walk had been irregular; they reminded him that he had not fulfilled his covenant engagements, inasmuch as he not only absented himself from the meeting of the Church which he used to attend very constantly, but has not for a considerable time worshipped with the Church or been present at their communion season. This absence appeared to be in consequence of some offence which he had taken, or some alienation of feeling which ought not to exist, and therefore it would not be proper to grant his request, even if there was no objection in

regard to the standing of those to whom he has requested to be dismissed and recommended.

IRA A. BREWSTER, } *Committee.*
JONA. PERLEY, }

Salem, Sept. 28th, 1849.

This Report was accepted. The letter of Mr. Goss was then read.

Salem, Sept. 14th, 1849.

To the Tabernacle Church.

Dear Brethren:—Deacon Perley and Brewster called on me last evening as a Committee of the Church to explain the circumstances in the case why you voted not to grant my request for a dismission and letter to the Howard Street Church.

The first reason they gave was, That the course the Church had taken in regard to the Howard Street Church, in receiving her members was that the Church is broken up, and therefore to be consistent with that course could not grant my request. The second was, That the Church apprehended that there might be ill feelings towards some members of the Church. Whether that apprehension was well grounded they knew not, except my long absence from the communion.

In reply to the first, I will inform the Church, that the brethren and sisters that remain at the Howard Street Church sought counsel and advice of sister churches (with which you are in fellowship) in their trials and difficulties, and have acted in accordance with that advice, and since then they have settled a pastor by Council of sister churches, to which you have and are accustomed to dismiss and receive members, and to which you also were invited. You cannot therefore expect me to surrender my rights and privileges to such a plea. I therefore renew my request.

To the second, I can only say I know of no unkind feeling to any member on my part; if there is, or has been, I wish their forgiveness as they would be forgiven. As for my long absence from the communion, my intention has long been known by a large part of the Church, and to the pastor for more than a year, and I have communed with the Howard Street Church regularly ever since.

From your brother in Christ,

EZEKIEL GOSS.

The resolution introduced September 14, was now called up by the mover. He warmly urged its adoption, — affirming *that the only reason*, as stated to the Church, (at the meeting August 24,) why the request of brother Goss could not be granted, *was, that he had left the Church with unkind feelings.* At this the pastor expressed surprise and astonishment. He reminded the mover of the resolution, that he himself, i. e., the pastor, had most explicitly stated, that, beside the objections from brother Goss's irregular walk, there was a difficulty, in view of the relations of the Tabernacle Church to those at Howard Street.

Objections of various kinds were made to the resolution, such as, that the expression "unkind feelings" had not been used, as intimated, and did not convey the true idea of "feelings of alienation;" that the resolution implied that the brethren had made *charges* against their brother Goss, while in all that had been said, there was no intention of *bringing charges*, as if the brother were to be put on trial; that what their Committee had stated to him, as the difficulties of the Church in

granting his request, they had stated in their own manner, as individuals, and not at all as if communicating *charges* in the name of the Church; and that nothing had been said or done in the Church, which would make it proper to pass the resolution,—even if the brethren were satisfied with what their brother Goss had said of his "feelings" towards them. In regard to this last point especially, the Committee stated, that they were not prepared to vote for the resolution; what they had personally witnessed would prevent them.

The Church *refused to adopt the resolution*, by a most decided vote. After this, and in consequence of some of the remarks which had been made, and by the mover of the resolution,—the pastor requested that the Church would take a vote upon the question, "*Whether the Committee were authorized by the facts, to make the statements to brother Goss, which, according to their Report, they did make?*" The vote was promptly taken, and in the *affirmative;* so that the Church then virtually *adopted* the Report, which had been previously *accepted.**

The council will now perceive, that they were entirely misled, in saying, that Mr. Goss "was expressly told by the pastor, that the Church did not adopt or sanction the report" of the Committee. *The pastor never told Mr. Goss any such thing.* Nor was Mr. Goss ever told certain other things, which, without any supposed intention of misstatement, he is known, or has been reported, to have stated, respecting conversations with the pastor, and with brethren of the Church. Mr. Goss, it should be observed, was not present at this important meeting of September 28th. Just before that meeting closed, a "Preamble and Resolutions" on the subject of the relations of the Church to those at Howard Street were adopted—conformable to the previous action of the Church. The pastor submitted the same, in order, that there might be upon the Records a definite and comprehensive expression of the views of the Church,—and, that the Records themselves might be more intelligible, in years to come.

Whereas, a member of this Church has requested to "be dismissed and recommended to the Howard Street Church," and whereas, while the Howard Street Church was under the pastoral care of the Rev. Joel Mann, a Mutual Council called to consider the difficulties existing in said Church, advised that the Church should be dissolved:—

And whereas, agreeably to the advice of the said Mutual Council, and after mature consideration of all the circumstances of the case, a vote was passed by a majority of the Church, to dissolve the Church, provision being made, however, for a regular transfer of membership to sister Churches;—and

Whereas, this Church has recognized the validity of the aforesaid vote, by receiving members, agreeably to the aforesaid provisions for a transfer of membership to sister Churches;—and whereas, notwithstanding the result of an *Ex parte* Council, called by the minority of the said Howard Street Church,—the Essex South Conference of Churches decided that the delegates of the said minority were not entitled to a seat in the Conference, in virtue of their claim to be considered the delegates of the Howard Street Church as known and recognized, previous to the vote, by which the said Church was declared to be dissolved;—

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* The Clerk omitted to record the proceedings of the Church, in regard to the "resolution," introduced September 14th and the vote of September 28th, by which the Church sanctioned the doings of the Committee. See Appendix.

Therefore, Resolved, 1st, That as at present informed in relation to the whole subject, we are not aware of any sufficient reason to repudiate and disregard the decision of the Essex South Conference, in October last, by which the action of the aforesaid majority of the Howard Street Church was, indirectly, yet distinctly and absolutely sustained.

Resolved, 2d, That in the judgment of this Church, it is not consistent with the principles of order and fellowship in our Congregational churches, nor promotive of the best interests of the community—to recognize the claims of the aforesaid minority of the Howard Street Church, to be the original and undissolved organization as known and acknowledged previous to May 4th, 1847, when the vote was passed which declared the Howard Street Church to be dissolved, and no longer to exist.

Resolved, 3d, That until prepared to rescind the foregoing resolutions, and reconsider the facts, which are presented in the foregoing preamble of the said resolutions,—it will not be consistent or proper for this Church to grant letters of dismission and recommendation to membership with those who claim to be the Howard Street Church in this city, without any regard to the proceedings by which we have considered the said Church regularly and truly dissolved.

These resolutions and the previous action of the Church, it was taken for granted, that the clerk would communicate to Mr. Goss, as a decisive answer to his second letter requesting a dismission.

It may further be remarked of that letter, that what he said disclaiming the consciousness of "unkind feeling" had but little weight; because the disclaimer did not touch the real difficulty in his case. He may not have had any "feeling" which he himself thought "unkind;" but very good men do not always understand their own "manner of spirit."

What was said of "his long absence from the communion," as if his "intention" had "long been known by a large part of the church, and to the pastor for more than a year," is not correct, as the language naturally would be understood.

The Result states, that in the communication which he was not allowed to read to the Church, he had said: "I acted in good faith, supposing that I was in order. I was doing as others had done without reproach. The pastor knew of my course and my feeling." If he supposed that he "was in order," he supposed this on his own responsibility. That "others had done" the like "without reproach," is entirely a mistake, in more respects than one. The instance cannot be named of a member of the Tabernacle Church who, in Salem, has worshipped and communed with another church, in any such manner as to be a precedent or an apology for Mr. Goss. The pastor did indeed "know" of his "course," but not of his "feeling," if he *felt* that he "was in order."

He never, at any time, so much as intimated by fair inference, that he wished to be at Howard Street, for his "edification and usefulness." Again and again, did some of his particular friends request the pastor to continue to use conciliatory means to remove from his mind the mistaken views which he had of the feelings of the Church towards him. Such means were used, and with some degree of hope, until March or April of 1849.

A year, perhaps, previous to this time, it may be well to state, the pastor inquired of him if he really meant to connect himself with

those at Howard Street; intimating pleasantly, but significantly, that it was not in order for him to be as he was,—and that he should not be away from the Church without being dismissed; but not in the least saying or implying, that *he could be dismissed* at his pleasure to those with whom he then communed and co-operated. The suggestions were kindly made to remind him, that there might be some future trouble from his absence. His answer was very brief and ambiguous, referring to existing difficulties at Howard Street, as if whatever he might think best to do at a future day, he was not then prepared to make any formal change in his relations to the Tabernacle.

The pastor wished, at that time, to lead his mind to some serious reflection upon the course of "disorderly walk," which he had plainly commenced. A few words only were said, on either side, for the conversation was merely casual, during a short interview of business.

And further,—what if Mr. Goss did say to the Church in his letter of September 14, "I know of no unkind feeling to any member on my part, and if there is or has been, I wish their forgiveness, as they would be forgiven?" There was not in these words the slightest confession of any wrong whatsoever. Does a penitent man confess *conditionally?* A little word of two letters, prefixed to any number of words, may be fatal to a confession. We find no "if" in the 51st Psalm.

Need we argue the right of the Tabernacle Church to refuse a letter of dismission to any member, until satisfied that such a letter ought to be granted? A few years since, a member of one of the orthodox Congregational Churches in Salem, took offence; left the meetings of the Church on the Sabbath, and at other times; worshipped at the Tabernacle, and asked to be dismissed to the Church. The request was refused, on the ground that the member had manifested improper and unchristian feelings, at the time of leaving, and afterwards. The member in question thought the Church were very unreasonable in refusing a dismission. Twice was the request made. After some months, the member made a full acknowledgment of wrong doing and wrong feeling; and then did not desire the Church to give any further attention to the request for dismission.

Within two years past, the Tabernacle Church has refused a similar request of two members, on precisely the same grounds. To this day the request has not been granted.

And as it regards the standing of those at Howard Street, after being formally recognized by one Council, and indirectly by another,—it certainly is not to be denied, that the Tabernacle Church has the right to withhold fellowship,—any number of Councils to the contrary notwithstanding. If the only question is, whether a body of professed believers has been recognized by a Council to be a Congregational Church, or whether a minority of such a Church has been recognized as *the* Church, which the majority had voted to dissolve,—then it would follow, that Councils, however composed or conducted, have a paramount control of the Churches, and power to determine not only with what Churches, but with what individuals, a particular Church shall hold communion. If, moreover, a member excommunicated from the Tabernacle Church should be received by advice of Council into any Church, which, whatever the circumstances, another Council had

recognized,—then of course this same excommunicated member might be dismissed back again to the Tabernacle Church, as in good and regular standing; and if the Church are to be controlled by Councils, he must be received, although he had been cut off from their body,—and although they might have the fullest evidence that their censure upon him was just, and that he was not a proper subject for their Christian communion. Is any such ecclesiastical doctrine as this, to be found in the "Platforms" of New England Churches?

For ourselves we could never have concurred in the Result of the late Council, unless fully prepared to admit all that is involved in such a doctrine, or such a view of the obligations of particular Churches, to govern themselves by the decisions of Councils. And, not to anticipate what is to be said in the sequel of our Review, we must here remark, that it seems to us that all the quotations which are made by the Result before us, on the subject of covenant obligations, not only do not in the least approach the question of the right of a majority to dissolve a church, BUT THEY ARE IN POINT-BLANK OPPOSITION TO THE CLAIMS WHICH THE COUNCIL HAVE ADVOCATED IN BEHALF OF EZEKIEL GOSS.

For instance, the Council say in their Result, pp. 13, 14,—that "in 1637, certain ministers in England undertook to call the New England brethren to account, for opinions and practices deemed by them 'groundless and unwarrantable,' and forwarded Nine Positions, on which they demanded their judgment. Of these, *the sixth stated what they deemed the unwarrantable claim, that no church member could withdraw from the church, without leave first obtained from the Church.*"

We have put the above in *italics*, that the particular point may be more clearly marked. The Council proceed to say:

The New England ministers admitted the principle and defended it, on the ground that the church covenant, of necessity, implied it. This called out a full statement of their views of the covenant. This, according to them, consists in four particulars.

1. 'Every member, at his admission, doth openly profess, and solemnly promise that, by Christ's help assisting, he will not only in general give up himself, as to the Lord, to be guided by him, so to the Church according to God, to be directed by it; but also, in particular, that he will perform all duties of brotherly love and faithfulness to the body; as of diligent watchfulness over all his brethren, thereby to prevent sin; so of faithful admonition, after their falls, to regain them to the Lord from their sin.

2. 'The engagements are not made only by the members admitted into the Church, but by the Church back again to the members. So that, thereby, the whole Church in general, and every member in particular, stand as well in conscience bound, to perform all duties of love and watchfulness to him, as he doth to them.

3. 'These promises, thus lawfully and mutually made, that members, as also the whole Church, are bound, not only every one for himself actively to perform them, but passively, also, to suffer his brethren to do these offices upon and towards himself. If he neglect the former, he shall falsify his covenant, so solemnly, before God, angels and men, made; and so not only break his promise to his brethren, contrary to Ps. xv. 4, but also, in some sort, commit the sin of Ananias and Sapphira, in lying against the Holy Ghost, condemned and severely punished by God's own hand. If he fail in the latter, he shall not only be guilty of the same sin of breach of covenant with

God and man, as in the former, but shall also be guilty of this folly of despising council, so much condemned, and shall also proclaim this his folly and pride, by showing to all the Church that he is wise in his own eyes, and leans to his own wisdom, both reproved in Prov. iii. 7, and xxiii. 4.

4. 'From all these things premised, it appears that we can do no less—and yet we do no more than, first, require a member, before he depart, according to our covenant, thus lawfully, deliberately, and mutually made, to express to his brethren his desire of departing, and the place and society to which he tends—whether to a godly Church, where he may be edified, or to some corrupt assembly, where he may be destroyed! and, secondly, require his grounds and reasons which move him so to do.' All of these particulars are sustained by an appeal to the word of God. Thus did New England, in a clear and eloquent testimony utter to Old England her deepest and most settled convictions as to the nature and effects of a Church Covenant.

We assent cordially to these views of covenant obligations, as given in the passages here quoted, from the fathers, and all the others in the Result,—in the sense in which the fathers themselves intended to be understood. But we differ very much from the Council in our application of these passages. They infer, that "*the mutual covenant between member and member, is not separable from the covenant with God, but is a part of it*,"—and hence, by a constructive inference from this their direct inference,—they say, that "Churches were with them, [i. e. the fathers,] no mere voluntary associations for mutual religious improvement, which those who formed might dissolve at pleasure, and replace by what they deemed better, or by none at all, if they saw fit." (pp. 14, 16)

The Council have here substituted their own words for the language of the fathers, and, as we think, most unwarrantably. And not a little remarkable it is, that the only passage which they quote from these for a distinct exposition of our Congregational covenants, is from a chapter in Richard Mather's tract, in answer to the "Nine Positions" sent over from England;—the whole of which, from first to last, was written without the remotest reference to the dissolving of a Church by the act of the body. But the reader would suppose, that the passage was taken from some elaborate treatise of the fathers, in which they were showing that Churches are not "mere voluntary associations, &c." Very little would it be imagined, that the chapter of the little tract from which it was selected, not to say—*garbled*—was written upon one of the subordinate or incidental questions connected with the great points, which, for a whole generation, had been in controversy, between the members of the Church of England, and Brownists, Presbyterians, and Congregationalists. Much less would it have been imagined, that the entire chapter was designed to show,—"*That none are to be admitted as set members, but they must promise not to depart or remove, unless the Congregation* [*Church*] *will give leave!*"

These are the words of "The Sixth Position." And they might have been so quoted in this Result, with much less time than it cost to conceal the very gist of the matter in hand.

We think that we can see a very cogent reason, why the authors of the Result did not quote the first sentence of the "Answer" to the "Sixth Position;" and why they stopped short in the paragraphs which they did quote.

Our answer hereunto is briefly this,—we judge it were expedient, and not according to Rule, that such brethren as are in covenant with the Church, and ourselves as fellow-members, and have committed their souls to us as ministers, should not forsake our fellowship, ☞ nor abruptly break away from us, when and whither they please; but first approve themselves therein to their brethren's consciences, and their counsel in so weighty a matter, &c.

At the end of paragraph 3d, as quoted, the Result omits this sentence:

Seeing need of no further light to be held forth by his brethren, than what he appreciates himself, which is one of the greatest properties of folly itself.

But vastly more important, and not a little significant, is the omission of what follows, in paragraph 4th. After the words,—"which moved him so to do,"—it is thus written in the original:

Which if they hold good, being scanned by the Word, he may not only be confirmed in his way by the consent and advice of many, but counselled also how to manage his departure for his best comfort; and so after all solemnitie, with the whole Churches prayers and blessing in the name of Christ be dismissed. But if his grounds be either none at all, or weake, or sinfull, and that his desire of departing savors of self-will, inordinate love of gaine, rash precipitancie, or a spirit of schisme, more strongly than of sound Reason, then what can we, what dare we lesse without breach of covenant, than in love and tenderness, show him his weaknesse, disswade him from his purpose, *and refuse to consent.*

We should be glad to quote the whole which follows. After other remarks, it is further said:

If any member might when and wherefore he please, without consent of the Church depart away from it, this may by unavoidable consequence destroy the whole; for if one may so depart, why may not another also, though never so usefull in that Body, whose absence might much change the well-being of it; and if one, why not two, six, ten, twelve, as well as one. For where will you stop, seeing all may plead the same libertie?

We should hardly have thought that any of those who prepared the Result of the late Council, could have so taken out the passage which they did, from the "Answer to the Sixth Position" of the ministers of England;—and then have made the venerable Mather, of Dorchester, and the others in whose name he wrote, appear as if testifying in a case or upon a point, which was not at all in mind. We protest against such a method of quotation; and still more against the unfairness and injustice of imposing upon the unwary and confiding reader *the constructive inferences* of the authors of this Result, as if the direct and indisputable witness of the fathers. Let the fathers speak for themselves. We are ready to hear.

In the sequel of our Review, we have more to say of the extracts from the "fathers." But we have here to affirm,—that they do not at all touch the question, whether a Church can be dissolved, as we maintain, by vote of a majority, any more than the question, whether a Church can be made to cease, as the Council admit, by the unani-

mous consent of the members to take letters to other Churches. But they do touch the subject of church-dissolution, or more strictly, the inevitable tendency to such dissolution,—by so expounding the nature of the covenant of membership, as to require imperatively, that *before* "a member departs" he shall "*express to his brethren his desire of departing, &c.;*"—and that "*no church-member can withdraw from a Church, without leave first obtained from the Church.*"

We now inquire, then, whether the exposition of covenant obligations, as taken from the "fathers," is not utterly irreconcilable with the pretensions of the Council, in respect to Mr. Goss? As they have reasoned and declared themselves, they certainly have vindicated a church-member, in "*withdrawing from a Church, without leave first obtained from the Church!*" After Mr. Goss had left the Tabernacle Church, in every thing but the formality of a dismission and recognition,—*a whole year and a half had expired*, before he even *asked* "leave" to "withdraw"! Was such a course warranted by "the principles, usages and precedents which relate to the covenant, by which believers in our Churches are bound to God, and to each other?" Let the Council answer this question to their consciences.

The Cambridge Platform says:—"They who are joined with consent, should not depart without consent, except forced thereunto." "To separate from a Church either out of contempt of their holy fellowship, or out of covetousness, or for greater enlargements, with just grief to the Church, or out of schism, or want of love, ☞and out of a spirit of contention in respect of some unkindness, or some evil only *conceived* or *indeed* in the Church, which might and should be tolerated and healed with a spirit of meekness, and of which evil the Church is not yet convinced (though perhaps himself be) nor admonished: for these and the like reasons to withdraw from publique communion in word or seals, or censures, is unlawful and sinful." "Order requires that a member removing, have letters of testimonial and dismission from the Church, whereof he yet is, unto the Church whereunto he desireth to be joined, lest the Church should be deluded; that the Church may receive him in faith, and not be corrupted in receiving deceivers and false brethren. Until the person dismissed be received into another Church, he ceaseth not by his letters of dismission to be a member of the Church whereof he was. The Church cannot make a member no member, but by excommunication."

We shall prove, that a Church *can* make a member no member, in other ways; yet all this, in the true sense of the Platform, we fully maintain. And by consequence, we say that Ezekiel Goss had violated his covenant engagements; and that the Ex parte Council *have now justified him in doing as he did.*

They have also exerted themselves to the utmost, to "make him no member" of the Tabernacle Church, by "an example," *in him* and *in themselves*, "which," in words of the Platform, "if many should follow, *would threaten the dissolution and confusion of Churches.*"

After the meeting of September 28th, it was hoped, that the case of Mr. Goss would, for a time at least, not require the action of the Church. The purpose was to treat him affectionately, and endeavor to persuade him to pursue such a course, as would preclude

the necessity of a complaint against him, and an adjudication in the Church.

There was no good reason, as was felt, for any haste or urgency of movement. It was indeed reported, that Mr. Goss had thoughts of going to California. If so, it was considered by some of his brethren, *a very strong reason why he should not press the Church to grant his request.* And so excited had he become,—so aroused was his spirit of opposition to the Church,—so pertinaciously and determinedly, in conversations with brethren and others, did he insist upon having his request granted,—that he was in no proper state of mind, to encourage hope of very early and satisfactory acknowledgements to the Church, for withdrawing as he had. Neither did it seem advisable to undertake immediately the work of regular discipline. There may have been a mistake in this, on the side of lenity and brotherly kindness. But may the day never come, when the Tabernacle Church will do business, as the Council say that they ought to have done, in the case of Mr. Goss.

But why did not the Council complain of the Church, for not having proceeded faster,—when Mr. Goss might soon wish to go to California? Was it because, that they did not think it well to inform their readers that they themselves took their own time to attend to his desires, and that while some were "*busy here and there, he was gone?*" *

At the very next meeting of the Church, October 12, Mr. Goss appeared in person, and wished to read a communication. Objection was made, that as his case now stood, it was not in order for the Church to give him a hearing. He then immediately retired.

October 26th, it being the regular monthly meeting for business, he again appeared, and wished to present a written communication. Objection was again made. Brethren, who opposed the reading of the document, expressed an entire willingness to hear any statement from their brother Goss, relative to his feelings or position—provided he did not intend to criminate the Committee of the Church, as was fully believed that he did; and that he did not intend to argue the Howard Street question, upon its general merits. Questions which had been already considered and settled by final action, they could not then consent to reconsider. Neither could they deem it proper for him to address the Church, as if he were on trial, and defending himself against *charges* which had regularly come before the Church. No charges had as yet been brought, and no accusation had been preferred against him—in any such form or mode—as rendered it suitable for the Church to listen to any such communication, as they understood, from his own words and appearance, he was purposing to make. By a most decided vote, he was not allowed to read his communication.

He then asked if he might be permitted to *make a speech* to the Church. The same objections were made, as before, and a similar vote was passed. There were remarks, it was suggested, which he *could* make, that would be in order, and would also be gratifying to his brethren. But if he wished to occupy the time of the church, in

* See Result, &c. p. 60.—Any time needed for "*original investigations*"?

the manner which he gave occasion to anticipate, it would neither be according to the established rules of business, nor for the edification of the Church, that he should be heard.

The Result says: "This communication the Pastor and the Church refused to allow him to read—and when he desired to speak on what the Committee had said to him, they refused to hear him. The reason assigned for this was that the Church had not adopted and thus endorsed the statements of the Committee, and that the Church had neither charges nor charge against him. It was repeatedly said to him, 'We have nothing against you,' and therefore he was not allowed to speak. Here then a brother had come before the Church, desirous to see his offence, if any there were, desirous to confess and make reparation when convinced, desirous so to explain his conduct as to give satisfaction, and yet was not allowed to speak, on the ground that they had nothing against him." (p. 10.)

This passage may have been written very easily, but we suspect that it required some labor. Like too many others of its kind, in the Result, it has just enough of truth to exempt the writer from the charge of intentional or conscious misstatement; and much more than enough of error to make the whole representation *utterly fallacious.* How could any of our brethren so far impose upon themselves, as to give their sanction to such a tissue or complication of improbabilities and absurdities? *

After the refusal of the Church to hear his speech, Mr. Goss showed himself to be much excited. In a hurried, agitated tone, and as if trying to suppress his feelings, he said:—"If the Church take such action in regard to me, I am glad to know what sort of persons I am among, and what kind of company I have been in. *And I therefore now leave the Church!*"

He went out, immediately. We have here a question, in respect to his leaving the Church, in this manner. If this procedure alone were considered, would there not be reason enough for the Church to demand satisfaction? Could a member, after such an exhibition of himself, justly expect testimonials as in "*good* standing"?

In a letter from a late member of the Church, to one of the Council, it is said: "After the Church had refused to hear brother Goss and he had retired, it was suggested by some one, that his long absence from the communion of the Church was wrong, and was a fit subject for church-discipline. Thereupon I immediately rose in my place, and stated that I hoped a course of discipline would now be commenced with brother Goss *forthwith.* The pastor stated in reply, that there were cases, which, for certain reasons, ought to be delayed; and intimated that this was a case which ought to be deferred to a future

* In reading some parts of this Result, we have had our patience restored to good humor, by remembering a remark of a late distinguished counsellor of Connecticut. In one of his profound, but luminous and splendid legal arguments, he was repeatedly interrupted by one of those judges, who, from the circumstances of their appointment and their intellectual "darkness visible," were called the "*midnight judges.*" "The office of a counsellor," said one of these to Roger Minot Sherman, "is to enlighten the Court; not to confuse and perplex them by abstract discussions and minute distinctions." "Your Honor,"—replied the counsellor with a most courteous obeisance,—"*is little aware how hard a task he imposes upon us*"!

time." The letter was written, more than two months after the meeting referred to; and when in the lapse of time, a very calm and unbiassed memory might not recall the precise words which were used at a given moment,—nor the immediate antecedents, occasions, or suggestions. Words and occurrences may be placed in close or simultaneous connection, when, in fact, they were separated by intervals, not only of minutes or hours, but of weeks and months.

According to the Minutes of the pastor, written out in full, the third day afterwards,—"As soon as Mr. Goss had retired, the Church engaged in prayer." And after the prayer, according to the same Minutes, and the distinct recollection of the pastor and that of others, the writer of the letter just quoted arose, before a word was spoken by any one else, and expressed his opinion,—"that the pastor and two of the deacons ought to take measures early to bring the case of brother Goss before the Church, in the way of complaint for walking disorderly; for," it was said, "he is now placed in an anomalous situation."

This *proposal* was "anomalous," and without any precedent or warrant in the doings of the Church. It was as unexpected, as would have been a serious motion by that brother, that Mr. Goss should at once be excommunicated. The hour of closing the meeting having come, the pastor waited for no one to respond, but briefly expressed his own views of the duty of the Church.

"If any brother thought it suitable to commence a process of discipline, he could do it. But there were times and circumstances, when, either as it respects the individual himself, or his family, or the Church, or the community, it is not expedient to move in a case of discipline. And such at present was the evident excitement of feeling, in regard to brother Goss, and in regard to the ecclesiastical relations of Howard Street Church, so called, that, in the judgment of the pastor, it was best for all concerned, that there should be some lapse of time, during which, influences might operate to prepare the way for a more calm and judicious attention to any new view of the case which might be presented. The pastor also indicated his opinions, in respect to the course which it became brother Goss to pursue, when his request was refused; and the course, which, as a Christian, simply desiring to do what is right and best, he ought *now* to pursue."

Such are the Minutes of the pastor, word for word,—two days only having intervened between the meeting and the time of the record. But the Result says,—that "when it was suggested to the Church to begin to deal with him, *the pastor objected and they refused so to do!*" p 10. Was it thus? Are the Council sure? For authority, they refer to the letter from a member of the Church, which, we humbly submit to the Council, is, in some parts, materially defective, and in others, erroneously interpreted.

Very true it was, that Mr. Goss was not on trial; and that a process of discipline had not been commenced; and that no one had signified to the Church his intention to commence such a process. But it was as well understood as any fact could be, that the Church as a body considered Mr. Goss *justly liable to discipline.* The member of the Church, whose letter appears in the "Appendix" of the Result of

the Council, knew all this; and therefore could never have designed to testify anything to the contrary.

But we have to inquire of the Council, whether, in another respect, they have made proper use of that letter? Did they not actually pass their votes *the afternoon before* the conversation between the writer and Dr. Beecher, in respect to which the letter was written? And yet a letter of *January 8th*, 1850, referring to a conversation, *December 19th*, 1849,—is adduced as the reliable "direct testimony" to a point, which the Council had decided, *December 18th?* Whether this is any better than to make the writer say much more than he said, or could have intended to say, we leave for others to decide.

On Monday, after the meeting October 26, the pastor sought an interview with Mr. Goss, for the pupose of explaining to him more fully the reasons, why it was not proper for the Church to hear him in the manner which he had proposed. He freely admitted, that he intended to argue the question of "*the right of the Church to be dissolved*," and to consider all the points which were connected with his case. As to the Committee of the Church, he said, that he "meant to prove that they had violated their engagements with him;" referring to what, as he said, was understood by him to be their advice or consent, in respect to the manner in which he should meet the objections that had been stated to him, in their interview of September 13th. And what he alleged to be true of them, it must here be remarked, they themselves have most positively denied!

He was asked by the pastor, whether he insisted upon having a letter of dismission to *the* Howard Street Church,—i. e., a dismission as if the Church had never been dissolved. He said, that he did; for there was "a sacred principle involved as to the rights of Churches."

When told, that, if the brethren could be satisfied in regard to his present feelings, they might consent to give him a letter to the South Church, for example;—he repelled the suggestion, as if inadmissible. And yet he said, that when he applied for a dismission, he did not intend to make trouble; and that he did not know but "the Church might contrive some way to get round the question of Howard Street Church, without acknowledging it to be *the old* Church." "We don't care," said he, "what your opinion is, as to its being the old Church."

He was reminded of the course which he had pursued, and which certainly appeared as if he was willing to make trouble. And he was reminded also, that he *very well knew*, that his sympathy with those at Howard Street *was not the cause or the original occasion of his leaving the Tabernacle Church.* To this he made no answer, but turned the conversation.

He was asked whether he would like to have his case brought before the Church, in the way of discipline. To this he answered with surprise; "*You cannot do any such thing;* for I have asked a dismission." He was informed, that any brother of the Church could proceed against him at any moment. He then said that "he should not like to be brought before the Church as for a *misdemeanor*."

From all that occurred in an interview of an hour and a half, during which not a word was spoken as if from excitement, or any unfriendliness, the pastor was more than ever satisfied, that it was most wise in

the Church to refuse, as they did, to hear the communication which Mr. Goss had intended to make, on the Friday evening previous. The plain truth is, beyond a question, that he had not the smallest idea of making any confession or concession, which the Church, in any circumstances, could have received; and all that he intended to say, as "*if*" *he was sorry*,—"*if any had been grieved with any of*" *his* "*wrong doing*,"—was but a drop in the bucket. He had come prepared, by aid of some, it is believed, who have had far too much to do in his case, to inflict upon the Church an outpouring, which, if he could have inflicted upon the late Council, we are quite inclined to think they would have forgiven him, if he had first gone to California, without honoring them, as he did, by his letter missive; and without giving them, as he has, the rare opportunity of such an enviable immortalization, through the "document," which, as the "Congregationalist" (March 8th) assures the world,—"will go upon [?] the archives of our ecclesiastical history, as a permanent document bequeathed to the future."

The next day after the interview just described, he called upon the pastor. "I called," said he, "to see how this would do. Since you said there are no charges against me,—can't I have a letter to any Church where in the providence of God my location may be cast?" "*No charges?*" said the pastor; "I never said that there were no charges against you. *There are no charges before the Church, as if you were on trial!* But you are liable to discipline at any time. There may be no charges before the Church; but that is a very different thing from saying that there are no charges which can be brought."

"Are you really intending to go to California?" "I don't know," he replied; "I have thought I should, but I don't know how it will be." "If you are intending to go," continued the pastor,—"and *you can satisfy the feelings of the brethren*, who certainly are disposed to deal kindly with you, we can give you a letter to a Church of Christ in San Francisco, or to any other sister Church 'where in the providence of God your location may be cast' But, brother Goss, it would not be consistent with my ideas of truth and fairness, to give you such a letter as you have named,—*with the understanding, that you can take it, and go directly down to Howard Street!*"

After some further remarks, he said to the pastor,—"Well, then, there is no other way for me, but I must ask for a Mutual Council. And I will leave this request with you."

To the Tabernacle Church.

Dear Brethren:—I have repeatedly requested of you a dismission and recommendation to the Howard Street Church in this city. My request has as often been refused. I do not now wish to present further reasons for my request, for I am assured by your pastor that there are no charges against me, and still my request cannot be granted. I therefore respectfully request that you will unite with me in calling a Mutual Council according to the usage of the Congregational Church, to consider and advise with reference to the following questions, viz:

1st. Was I in good and regular standing as a member of the Tabernacle Church on the 25th of August, 1849?

2d. Has any thing taken place in reference to the question of my request

for a dismission, since that time, that renders it improper that I should have a letter in the usual form?

3d. Is the standing of the Howard Street Church such that the Tabernacle Church ought not to recommend members to its communion?

I would propose that the Council should be composed of Churches whose ministers have never been called to act in the case of the Howard Street Church during its last difficulties.

I will be ready to meet your Committee at any suitable time on a few hours' notice, for the purpose of selecting the Council and preparing the letters missive. From your brother in Christ,

EZEKIEL GOSS.

Salem, Oct. 30th, 1849.

N. B. On account of business arrangements I would earnestly request that the Church would act on it on Friday evening next, at the close of their preparatory lecture.

The above request, it will be noticed, was written before the second interview with the pastor, after the meeting of October 26th; and contains the misstatement concerning the "charges." November 9th, without any discussion, the Church passed the following vote:

Whereas, our brother Ezekiel Goss has requested this Church to unite with him in calling a Mutual Council, to consider and advise with reference to the following questions, viz:—

1st. Was I in good and regular standing as a member of the Tabernacle Church, on the 25th of August, 1849?

2d. Has any thing taken place in reference to the question of my request for a dismission, since that time, that renders it improper that I should have a letter in the usual form?

3d. Is the standing of Howard Street Church such, that the Tabernacle Church ought not to recommend members to its communion?

Therefore, voted, That the following answer be given to his request, viz:

In regard to the first of the questions, which it is proposed to submit to a Mutual Council, the Church has not taken action in a judicial manner, and the hope has been cherished, and still is, that both the expediency and the necessity of such action may be entirely precluded. If, however, the long absence of brother Goss from the communion and meetings of the Church previous to Aug. 25 should ever be brought before the Church, in the regular process of discipline, the Church has no reason to anticipate any such difficulties in the case, as would give occasion, in the smallest degree, for the advice of a Council.

Upon the second question, which it is proposed to submit to a Mutual Council, the Church has taken no action whatever, neither has any been contemplated, so far as is known to the Church. As, therefore, the subject-matter of neither of these questions has been adjudicated in the Church, nor even introduced into the Church for the purpose of adjudication, there can be no propriety in calling a Mutual Council in such circumstances "to consider and advise with reference" to them.

In relation to the third question, it is true that the Church has taken action, and such action as may be inferred from the language used in the letter of brother Goss. The action of the Church, however, by which the dissolution of the Howard Street Church, May 4th, 1847, has been recognized, was taken with much carefulness and under a constraining sense of duty, to vindicate and support the fundamental principles and the accredited usages of the Congregational order, as affecting the independence of each Church respectively, and the inalienable rights of majorities in each Church. Until those who now profess to be the original Howard Street Church, as if no

dissolution had ever been voted, shall take a different ground upon which they will urge their claims to recognition and fellowship as a sister Church, —the Tabernacle Church cannot, with any consistency or propriety, acknowledge their title to such recognition and fellowship; so far as known to the Tabernacle Church, there is no existing occasion to submit its doings, in respect to this subject, to the revision of a Council; neither is there any such occasion apprehended, in the changes of the future. While, therefore, the Church has none other than the kindest feelings towards brother Goss, and there is not the least desire to prevent a removal of his relation of membership to some sister Church, whenever it can be accomplished in an orderly and satisfactory manner, the request of our brother Goss, that the Church should unite with him in calling a Mutual Council, must be declined.

This vote was in accordance with the IXth of the Church "Articles," in respect to "discipline and government:"—"That, in cases of difficulty, which cannot be settled satisfactorily in the Church, the advice of sister Churches, by their pastors and delegates, shall be requested; and when obtained, be complied with by all parties concerned, unless in their judgment they have weighty reasons to dissent; which reasons shall be offered to the Council, when time and circumstances will admit of it, and, if otherwise, to the Church, previous to a dissent, agreeably to *Acts* xv., *Platform*, chap xvi. But in all cases within the contemplation of this article, a Council is to be regarded as advisory *only*, without any paramount control over the decisions of the Church."

§ *The Proceedings of the Ex parte Council.*

It was, of course, supposed, that an Ex parte Council might be called. But it was not believed by the pastor of the Church, and by others, that, if Mr. Goss should send a letter missive to "Churches whose ministers had never been called to act upon the case of the Howard Street Church," there would be any that would comply with his request;—if he should make known the questions which he had proposed to submit to a Mutual Council, and the answer of the Church in declining his proposal.

It was also supposed, that there would be some correspondence with the Tabernacle Church, by the Churches receiving a letter missive from one of its members,—before any of them would vote to attend such a Council. And it was confidently presumed, that a very brief statement of the other party in the case, would suffice to convince any sensible man,—whether clergyman or layman,—that Ezekiel Goss had as yet no just ground to ask for a Mutual Council, and much less to call an Ex parte Council.

"As the request is made against the opinion and wishes of a majority of the Church," says Upham in his very valuable work, (the "Ratio Disciplinæ," pp 195, 6,) "it becomes the Churches, that are sent to, seriously to inquire, whether there be good grounds for meeting together. In case of a Mutual Council or any other Council, deliberation on this point is reasonable; ☞ *in respect to Ex parte Councils, it is imperative.* So much so, that the subject arrested the attention of the General Association of Massachusetts, and that highly respectable body at their session of 1823, passed the following vote: "That it be recommended to the ministers, connected with this Associ-

ation, not to attend Ex parte Councils, without much deliberation, and obvious and urgent necessity."

The same view of the duty of ministers and churches was taken, at an early period, in the experiment of our Congregational order. The "Ratio Disciplinæ" of the New England Brethren says:—"The pastors of the Churches, to whom an aggreived person, under the neglect of the Church to do anything for the relief of his distress, has made his complaints, do not rashly at once read his Letters to their Churches. But having informed themselves as thoroughly as they can of the case, *they signify unto the pastor of the Church complained of what they have received*, and ask him to let them know, whether the difficulty cannot be removed without their coming to them as a Council, or whether they have any just objection to make against their coming to them. For the management of these preliminaries, *the pastors either have an interview*, or *else by messengers hold such a communication with one another*, as is needful to their concurrence in the action."

Did the members of the late Council do any such thing, as is here recorded to be the early usage;—or, as the more recent "Ratio Disciplinæ" declares to be "IMPERATIVE"? *Not a single one!* Secret influence, moreover, as we have positive proof, was employed with all, or at least with a sufficient number for the end in view,—to secure attendance; and influence from sources wholly *ex parte*,—suited to prejudice them in favor of Mr. Goss's complaint,—and to prepare them to act at once, without any thing more of investigation and deliberation, than would suffice for the appearance of doing their work in Howard Street, Salem, instead of Salem Street, or Park Street, Boston.*

The letter missive of Mr. Goss, was dated Nov. 17, 1849. He knew perfectly well, that the business meeting of the Tabernacle Church would be held Nov. 23d; and that the Church always objected to doing business at any other meeting. Yet the copy for the Church bears date Nov. 26th, and was kept back, so that the first opportunity which the Church had of receiving it, was on the evening of *Preparatory Lecture, Nov. 30th!*—Thus only three days, and one of these the Sabbath, intervened between its reception by the Church, and the meeting of the Council, Dec. 4th!

Of the reasons for keeping back this letter, others who are impartial may judge. And whether the Tabernacle Church could accept of "the invitation to make the Council mutual," they may judge,—when we state to them, that *one half of the Churches* named in the letter had already acted, by their ministers or delegates, or both, "in the case of the Howard Street Church;" and had acted in full concurrence with the wishes and pretensions of the *minority* of that Church, against the act of dissolution, May 4th, 1847. Of the other half, there was reason to believe, that a part had become privately committed; while the remainder would not be likely to be present;†—so that a majority in

* One of the Council did inform the pastor of the Tabernacle Church, *that his Church had voted to comply with the request of Mr. Goss;* but intimated some doubt, whether he himself should attend.

† For instance, Dr. Osgood's Church, in Springfield, Mr. Cary's, in Sunderland, and Mr. Harris's, in Conway!—What *could* be the "urgent necessity" of sending from Essex County, to Hampden, Hampshire, and Franklin Counties?

favor of the Howard Street claims was as certain as any future event could well be, according to human means of forecast or calculation.

The following is a copy of the Letter Missive for an Ex parte Council, as communicated to the Tabernacle Church, after the Preparatory Lecture, Nov. 30th.

To the Congregational Church in ———.

Dear Brethren,—I am a member of the Tabernacle Church in Salem. My own usefulness and edification led me to desire to connect myself with the Howard Street Church in this city, now under the pastoral care of the Rev. Mr. Wilder. Being in regular standing, and so far as I know or believe without blame in my standing with the Church, I have asked for a dismission and a letter to that Church, but have been twice refused. The reasons on record relate to the standing of the Howard Street Church, involving the doings of two ecclesiastical councils, composed of eighteen churches, most of them of the highest standing among the Churches, and of the Essex South Conference of Churches. On the question involved, the Conference is nearly equally divided. And of the Councils,—the first recognized the Howard Street Church as at present constituted, the Howard Street Church;—the second installed its present Pastor. It is supposed that matters are involved which demand investigation. I have asked for a Mutual Council, but it has been refused. And according to usage, I now respectfully invite you to meet in Council by your Pastor and delegate on Tuesday, the 4th day of December next, at half past 9, A. M., at the vestry of the Howard Street Church, to examine the whole case so far as to sustain the rights of the Churches and afford me the necessary relief.

A copy of this letter will be sent to the Tabernacle Church with the request that they will appear and accept this as a Mutual Council.

Your brother in Christ,

Salem, November 17th, 1849. EZEKIEL GOSS.

The other Churches invited are the following: Essex, Rev. Mr. Crowell's; Ipswich, Rev. Mr. Kimball's and Fitz's; Boston, Rev. Dr. Beecher's, Kirk's, and Stone's; Braintree, Rev. Dr. Storr's; East Abington, Rev. Mr. Walker's; Middleboro', Rev. Mr. Putnam's; West Medway, Rev. Dr. Ide's; Hopkinton, Rev. Mr. Webster's; Springfield, Rev. Dr. Osgood's; Sunderland, Rev. Austin Carey's; Conway, Rev. Samuel Harris's; Andover Theological Seminary, Rev. Dr. Emerson, Pastor; West Randolph, Rev. Dr. Hitchcock's.

To the Tabernacle Church.

Dear Brethren,—The enclosed Letter Missive is a true copy which I have sent to the Churches named therein. It is my desire that the Tabernacle Church should accept of this invitation, and thus make it a Mutual rather than an Ex parte Council.

Your brother in Christ,

Salem, November 26, 1849. EZEKIEL GOSS.

Would John Cotton, or Increase Mather, or Cotton Mather, or any of the earlier or later "fathers," have entertained *such a Letter Missive; and have attended in Council*, without any consultation with the Tabernacle Church? We are quite prone to suspect, that some members of the Council have need to have their "pure minds stirred up by way of remembrance." And before any of them shall again admonish the Tabernacle Church and the Essex South Conference, concerning "a profession of original investigations," they may do as well to recur to the record of a controversy somewhat earlier than the days of the

" fathers ; " when, with no small reason, a certain man " answered and said,—No doubt but ye are the people, and wisdom shall die with you."

One-half of the whole number of Churches invited, had complied with the call of the Letter Missive ; and were represented in Council, about 10 o'clock, A. M., December 4th. *Six* of these were already committed upon the Howard Street question, viz., Salem Street Church, Dr. Beecher's, and Park Street Church, Rev. Mr. Stone's, Boston ; Church in Essex, Rev. Mr. Crowell's ; Church in Ipswich, Rev. Mr. Fitz's ; Church in Hopkinton, Rev. Mr. Webster's ; Third Church in Abington, Rev. Mr. Walker's.

None of the members of Council seemed to covet the distinction of being Moderator. One declined, because he had been already " scorched ; " yet was forced to stand the fire again, as best he could, for one day.

After the choice of Moderator and Scribe,—the question was long debated whether a *quorum* [?] was present ; and whether, therefore, the Council could properly proceed to business. The Council at last called for papers, and gave a hearing to Mr. Goss, and to the present pastor in Howard Street, who appeared as if he knew very much more of Mr. Goss's case than he did himself ; and who, therefore, wished to speak *for* him, instead of allowing *him* to speak.

When the afternoon session was closing, the Council voted to hold an adjourned meeting, December 18th. And, having agreed to have another session, for a short time in the evening, they also voted, " To appoint a Committee to wait upon the pastor of the Tabernacle Church, and notify him of the organization of the Council, and of the case under consideration, that he may attend on behalf of the Church." Result, p. 4.

We have somewhere read a paragraph, which, it may be taken for granted, that the Council will find, if they please to make "investigations" "original," or otherwise.

" The Council arrive at the place appointed, and being called to order, and having organized by the choice of a Moderator and Scribe, they open their session with supplications. Their proceedings are commonly, in the first instance, in some public place ; and ☞ *at the commencement of their inquiries*, notice is given of the time and place of their meeting, *to the Church* of which the aggrieved are members, *and to the pastor of the same.* ☞ If the Church and pastor *decline paying any attention* to the notice given, the Council govern themselves accordingly, and *proceed to business*," *&c.*

It will now be seen whether this Council proceeded in conformity with the rules, which have been justly regarded as admitting of no allowable or excusable exception. Although they had assembled, as they did, without observing the prescriptions and authorized precedents, in regard to such Councils, it was still to have been expected, that there would have been some better mode of proceeding, than to hold two sessions to the end, before notifying the Tabernacle Church or the pastor, that they had met and were organized.

Just before the commencement of the session in the evening, the Committee of the Council waited upon the pastor. They informed him, that the Council had been together ; and that they had voted an

adjournment to December 18th; and that he could appear before the Council if he wished. The pastor answered their questions, *and told them distinctly the true standing of Mr. Goss, in the Tabernacle Church.*

The Minutes of the Council state correctly, that the pastor "declined appearing before the Council, on the ground that no action of Council was called for in the premises."

The Chairman of the Committee, Dr. Beecher, made but a few remarks, as his report of this interview. But the delegate from Randolph was free to say to his brethren, that "it had appeared to him, almost from the beginning, and since the interview with the pastor of the Tabernacle Church, he was confirmed in the impression,—that there had been *duplicity* in the calling of the Council; the *ostensible* reason being the case of Mr. Goss, while in reality the Council had been called to decide a very different question. If Mr. Goss alone was to be considered, the question appeared to him a very plain one; and he thought, that the Council might very soon give him proper advice, and be permitted to return to their homes. And if the Howard Street people wished for a Council to act upon any question of their own, they could call a Council in their own name."

We give the remarks of Dr. Alden, as reported to us, and have been assured, than our statement is not sufficiently strong. We wish that a full report of the proceedings could be given; and yet, perhaps, in all charity, the wish ought to be suppressed.

Mr. Goss was very anxious to have the Council come to a Result that day, or to continue their session the day following,—so that he might know of it, before *leaving for California.* He had engaged his passage, for Thursday of the next week, from New York; and, of course, he could not be expected to be present at the adjourned meeting on the 18th.

The Council, with full knowledge of his wishes and purposes, voted that adjournment; and voted also, "*to advise Mr. Goss to enlarge the Council, by inviting other Churches at his discretion.*" *The Churches before invited, but had not been represented, were to be notified of the adjournment to December 18th!*

Can our ministerial brethren, and other brethren of our Congregational Churches, produce a parallel or a precedent for such a procedure? A member of the Tabernacle Church "*advise to enlarge a Council at his discretion,*"—when he himself, immediately after issuing his new edition of letters missive, *would depart for California!!*

Most palpable is the proof, that it was not on his behalf that they were there. If it had been otherwise, they would not have met in Howard Street; and if they *had* met, their business would have been all done, in a very short December day.

How many new Churches were invited, we do not know. Mr. Goss sent no information whatever to the Tabernacle Church, respecting the enlargement of the Council. At least *twenty* different Churches might have been represented in the meeting, December 18th. We suppose, also, that several others might have been. And such an array of ministers and delegates summoned, in the midst of winter, some of them from Hampden, Hampshire, and Franklin Counties,—under the pre-

text of urgent occasion to consider the alleged grievance of a man, who wished a letter of dismission from the Tabernacle Church,—and who was himself to leave Salem, for San Francisco,—before the Council would be assembled!!

December 18th, the Council met. Sixteen Churches were represented by thirty-one pastors and delegates. Dr. Osgood's letter to Dr. Beecher, (Result, &c. p. 60.) is a clue to a material part of the process and the management, which brought so many together. At the time of adjournment, on the 4th, the Moderator expressed considerable anxiety, lest the brethren would not all return!

Besides the six Churches, mentioned p. 28, the Church in West Medway, Dr. Ide's; Second Evangelical Church, Cambridgeport, Rev. Mr. Lovejoy's; First Church, Braintree, Rev. Dr. Storrs's; Church in Rockport, Rev. Mr. Gale's,—had given their voice in favor of those at Howard Street. There were *ten*, therefore, of the sixteen, that could be relied upon, for such a Result, as we have before us;—at least, in respect to the Howard Street question. Of the others, two or three were indubitably committed on the same side, by the known opinions of their pastors or delegates. And seldom, if ever, was an Ex parte Council, more emphatically *ex parte*. A mistake, however, was made in selecting two or three of the Churches!

A new Moderator took the chair. During the day, he repeatedly reminded the brethren, that the simple question was, "*Whether a majority could unchurch the minority?*" And this, with all deference, we would say, is not *the case of Ezekiel Goss*,—whether in Salem or in Sacramento. Neither is the *Howard Street question* what the venerable member from South Reading thus intended briefly and decisively to indicate.

The Council tell us, that "Rev. Mr. Wilder had leave to appear before the Council, and present the case of Mr. Goss." *Why no statement of the fact, that Mr. Goss had gone to California?* We should like to have seen how the Scribe's record of this item would read.

A Committee waited upon the pastor of the Tabernacle; not, however, until the Council had entered upon their business. He had seen no cause to change his mind, since, with the cordial advice of the officers and others of the Church, he declined being present, December 4th. It was his persuasion, and theirs, that any Council which should convene, in such circumstances,—however respectable in standing, or large in number,—were not entitled to any other attentions, than those of a courteous and kind reception of a Committee, with an ingenuous and explicit answer to inquiries.

And here let us distinctly remind our brethren abroad, of the position of this Ex parte Council, the largest of its kind, we believe, ever known in Massachusetts, or New England. Professedly they are convened to afford relief to an aggrieved individual, and "to sustain the rights of the Churches,"—that is to say, the claims of the Howard Street minority. The parties on the one hand were the Tabernacle Church, the majority which voted to disband the Howard Street Church, the Mutual Council which advised the disbandment, and the members of the Essex South Conference who recognized the validity of the vote of disbandment. *Of these, not a single representative appeared before the Council!*

On the other hand, the parties were Ezekiel Goss and the Howard Street minority. Ezekiel Goss himself was on the way to California, and the Howard Street minority had no concern in the proceedings,—by any official action. Their pastor appeared in the Council, as being the substitute of Mr. Goss. Thus in truth, of all concerned, on the one side and the other, there was not one fit or proper representative before that Council! Yet did that same Council undertake to revise all the doings of the Tabernacle Church, the Howard Street majority, the Mutual Council of 1847, and the Essex South Conference!

The Council proceeded, from first to last, as if they had come to *act*, and not at all for investigation. They wished to lose no time, by any hearing of evidence or of argument; but to be ready as soon as possible, to commit the whole case into the hands of those, who, with or without "a profession of original investigations" have issued their Result, and "bequeathed it to the future!"

Of investigation of facts, in the proper sense of the phrase, there was none. The course pursued was, as if the Council had occasion to ask but a very few questions;—and some of these were not to be urged to an answer, lest the intended Result should receive detriment. The Howard Street pastor could not be heard as he wished, although he had a written document which he represented, as immensely important to the deliberations of the Council; and although he solemnly assured them, over and over again, that, "if they would not grant him a hearing, *he could not be responsible for their Result!*"

They were even more willing to finish their work, than they were desired to be, by the advocate and the proxy of Mr. Goss. They hurried on, as if there was in truth no necessity for any proceedings in open session, save those of form and ceremony. And when the clerk of the Tabernacle Church declined answering the question, whether he had not heard Mr. Goss speak reproachfully or disrespectfully of the Church or the pastor,—some of the members immediately interposed to put an end to all such inquiries.

Not quite all, however, were glad to "see" a Council "on this fashion." We rejoice to except Dr. Hitchcock, and Dr. Albro, with two or more of the delegates. Dr. Hitchcock's published "Remonstrance" has been read by many hundreds, and has been justly admired for its manliness and common sense, and its conclusiveness. Dr. Albro made a noble effort to convince his associates *that they had no case before them*,—if they professed to act according to the accredited usages of Churches, in respect to Ex parte Councils. "Ezekiel Goss, who had called them there, had gone himself 'to parts unknown!' And the Tabernacle Church had as yet given no occasion whatever for him to call a Council."

We forbear to say more. We feel mortified and ashamed, for such an occasion to say what we have. We now present an extract from the published result.

Voted, That the Council be by themselves.

The following Resolution was moved:

Resolved, That, so far as this Council is advised on the subject, Mr. Goss has done nothing to forfeit his standing in his own Church.

The Resolution was adopted.

Moved, That it is the opinion of this Council that the vote of a majority

cannot dissolve a Church against the consent of a minority, and it appearing that the Howard Street Church has not been otherwise dissolved, and that the minority claim membership therein, and have acted, and still act, as that Church, and sustain its meetings, the ordinances and ministry, this Council advise that that Church has not been dissolved, but still exists on its original foundation.

The question was taken by ayes and noes; when it appeared that there were 24 ayes and 2 noes, and the Resolution was adopted.

Voted, That Mr. Goss be advised to renew his application to the Tabernacle Church, for a letter of dismission, and of recommendation to the Howard Street Church: and if his request be refused, that he be advised to offer himself for membership to the Howard Street Church, and that the Howard Street Church be advised to receive him.

Voted, That a Committee be chosen to prepare a Result of Council. Rev. Dr. Beecher, Bro. Z. Eddy, Rev. R. Crowell, Rev. Dr. Storrs, and Rev. A. L. Stone, were appointed this Committee.

Voted, That we adjourn, to meet at 7 o'clock this evening.

Council met pursuant to adjournment. The Committee chosen to prepare a Result of Council reported progress; whereupon it was voted, That when the Council adjourn, it adjourn to meet on Wednesday, January 16th, at 10 o'clock, A. M., at the vestry of Park Street Church, Boston, to hear the report of the Committee, appointed to prepare a Result of Council.

Voted to adjourn. Attest, A. L. Stone, *Scribe.*

The vote of the Council upon the case of Mr. Goss, by itself, is not numerically stated. Why was this? In the case of Howard Street, we have 24 to 2. But there were *thirty-one* members of the Council, according to the Minutes of the Scribe. We learn that *five* of these had either left the meeting, or declined voting.

After a month's adjournment, the Council assembled at Park Street Chapel, Boston, January 16, 1850. Twelve Churches were represented by twenty pastors and delegates. By vote of 18 to 2, the Result, as reported by Dr. Beecher, was adopted;—even one of the dissentients "expressing his conviction that the Howard Street Church was not dissolved in fact." The Minutes of the Council inform us, that Dr. Hitchcock presented and read a Remonstrance against the action of the Council; but they do not add, that he was refused his request, that it might be published with the Result.

Having voted, "That the Committee to prepare a Result be a Committee to communicate the action of the Council," and having also "approved the Minutes," the Council was dissolved. Thus closed the labors of the Council, as a body,—but not those of the Council in particular. There was yet, as we may well presume, something to be done by *the Council in particular*, before the Result could be "communicated." Communicated? To *whom?*

Looking back upon the whole course of proceedings, we are constrained to pause. Are these "the old paths, where is the good way," in which the founders of New England Congregationalism would have their children's children "walk" and "find rest"? Spirits of the Mathers! we appeal to you!

When, in former days, an Ex parte Council had been regularly convened, and had regularly proceeded in a hearing of a case, the members "retired to the place of their more private entertainment, and there considered over again all that had been laid before them."

"The Result,"—witnesses Cotton Mather, Rat. Disc. Art. ix,—"is drawn up in a proper insrument; wherein they first report what they find, and then advise what they would have to be done; usually fortifying their advice with pertinent passages of the Sacred Scriptures, annexed unto each of the articles." Was the Result of the late Council so prepared? What "pertinent passages of the Sacred Scriptures annexed unto each of the articles, fortify their advice"?

As to the resolution, which relates particularly to the case of Howard Street Church, and to the proceedings of the Council in connection with it, we have but a single suggestion to make, in this part of our Review. They "*advise that that Church has not been dissolved, but still exists on its original foundation*"! Here is a mode of "advice," which to ourselves is quite as "new," as any doctrine of ours can have been to the Council. They "*advise*"——"*that that Church has not been dissolved*"! There can be no mistake. The Council have so "ADVISED"!

It is to no purpose, therefore, that any one shall appeal to the vote of the majority of Howard Street Church,—by which, under *advice* conscientiously given by a Mutual Council, that Church, on the 4th of May, 1847, was declared to be dissolved and no longer to exist. This Ex parte Council of December, 1849, and January, 1850, "ADVISE THAT THAT CHURCH HAS NOT BEEN DISSOLVED,* BUT STILL EXISTS ON ITS ORIGINAL FOUNDATION"!!! Verily, this Council was an "*advisory*" body,—with a vengeance.

We have seen, that by their first resolution, Dec. 18, the Council say, "That, so far as this Council is advised on the subject, Mr. Goss has done nothing to forfeit his standing in his own Church." In the Result, it is said, absolutely, "*the brother is in good and regular standing in his Church.*" And this is said, when, by a report of the committee which waited upon the pastor, Dec. 18, it appears in their Minutes, that he stated to the committee, "*That Mr. Goss was not in good standing!*" Votes of the Church also, which the clerk had communicated, admit of no fair interpretation or construction, other than that which sustains the witness of the pastor, in every iota.

And yet this Council in their Result directly and openly *contradict*, or, to use their own choice word, they have "rebutted" the testimony of the pastor to their committee! What may be inferred, then, if other votes of the Church had been communicated; and if the pastor, or a committee of the Church, had appeared in person before the Council?—Would it have made any difference?

A more impartial witness than ourselves may here speak. "It is in evidence before the Council," says Dr. Hitchcock,—"that Mr. Goss was informed by a committee of the Tabernacle Church, that said Church were dissatisfied with his course in neglecting for more than a year to commune with said Church, or attend her meetings, according to his covenant engagements. And it appears to me, that Mr. Goss should have suspended his application for dismission at this point, until he had obtained *official notice* from said Church, that by explana-

* Some years before an English statesman had declared, that the "Schoolmaster is abroad,"—a son of France and a son of Holland,—meeting together in our fatherland,—thus "*advised*": "Did it rain *to-morrow?*" "I believe it *was!*"

tion, or concession, or forgiveness, he had removed this obstacle in the way of his recommendation. Until such official notice is produced to this Council, what ground have we to conclude that Mr. Goss is in a suitable position in relation to the Tabernacle Church, to be a proper subject for our recommendation. No Council has the right to invade the independence of a Church, by expressing a primary opinion respecting the standing of one of its members. The Church has the right to act first in the case. Plainly no Council can *originate* a process against any member of a Church, and they have no power to decide a case which they could not originate, until it comes before them by an appeal. Upon a question of character, or Christian standing, no member of a Church has a right to ask for a Mutual Council, until *censured* by the Church. And if he does so, the Church is not bound to grant his request; and, consequently, he has no right on their refusal, to call an Ex parte Council. I do seriously call in question the right of this Council to recommend Mr. Goss to Howard Street Church, in present circumstances, or to any other, or take any action respecting his Christian character and standing." *

"I am so unfortunate as to differ in opinion from the Council in regard to the existence or non-existence of Howard Street Church," &c.

But the most extraordinary fact in the proceedings in the case of Mr. Goss, is that to which Dr. Hitchcock himself makes no reference. It is, that when the Council passed their votes respecting him, and when they adopted their Result, *they did not know that he was in being in any part of the world!!*

Unconditionally, and without the least qualification, they advise him *just as if he were then in Salem*,—to "renew his application for a letter of dismission and of recommendation;"—and, then, if refused he is "advised to offer himself for membership to the Howard Street Church," so called, and these are "advised to receive him." And this too, when, at the time of the votes, he was in the steamer Ohio, approaching the West Indies, and at the time of the Result was far on his way from Panama to San Francisco.

The Council have given him advice thus to act, whatever may be the honest convictions of the Tabernacle Church, in regard to his present standing,—whatever may hereafter be true of him, under the liabilities and exposures of a long absence, amidst perilous temptations, so many thousand leagues from the watch and care of "his own Church," or of those at Howard Street. With the full consent and approval of this Council, he may break away from that covenant which says:

> Affectionately giving up ourselves to one another in the Lord, we solemnly covenant faithfully to watch over each other, to seek the promotion of each other's spiritual good, to submit ourselves to the discipline and government of Christ in his Church, and watchfully to avoid all sinful stumbling blocks and contentions, as become a people, whom the Lord hath bound up together in the same bundle of life.

What would the author of the "Ratio Disciplinæ of 1726";—what would his venerated grand-parent, Richard Mather, whose image and

* "Remonstrance," in "Congregationalist," March 1, 1850.

superscription may be seen in every part of the "Platform of 1648;" —what would Wilson, Cotton, Shepard, Eliot, Hooker, Davenport, Higginson, Hubbard, and all that illustrious company, have said of such proceedings, as those of the late Council? Would *they* have thrown their arms of protection around a member of a Church, who, without asking consent, and for no good reason, according to the principles and prescriptions of our Congregational polity, *withdrew from his brethren in covenant?* They would as soon have abjured Christianity itself.

We challenge the Council to quote from the Cambridge Platform, or from any other standard authority, a single passage, which would warrant Ezekiel Goss to leave, as he did, the Tabernacle Church. If it be true, as they say, that "when a member applies for letters of testimonial and dismission, and no process of discipline is pending against him, he is entitled to receive them, ☞ *unless some brother declares that he is offended, and will take immediate steps in respect to it*," [it?]—then must it also be true, that, out of these narrowest of all limits, the Churches have no discretion or liberty in any case whatever; but are bound, at the shortest notice, to dismiss any member, or any number of members, who, for the most trivial reasons, or from the most transient impulses, might ask for letters of testimonial to other Churches. We must take the liberty to suggest, that such *special pleading*, even by very reputable Congregational ministers and civilians, appears to us to be very "new" and very poor Congregationalism!

Ezekiel Goss now has the full approbation and permission of the Council to leave the Tabernacle Church, forever; notwithstanding the palpable violation of his covenant with the brethren of that Church. That covenant they can call a "holy covenant;" provided only, that the question is, whether the Howard Street Church could be dissolved by a vote of the majority. If, however, the question is, whether Ezekiel Goss has a right to a dismission from the Tabernacle Church, then the covenant in its "holiness" is remembered no more. *The circumstances have entirely altered the case!*

The Council themselves are our witnesses. And these are the brethren, who have looked "with undissembled wonder and astonishment" upon the "phenomenon," that our humble selves and our associates should "claim to be inspired by reverence for the fundamental principles and accredited usages of our fathers!" These are the brethren, who, upon the most "weak and beggarly elements" of ex parte testimony alone, and after the merest mockery of a form of investigation of facts, have, as but a part only of their Result, condemned the action of the Tabernacle Church; have pronounced their emphatic benediction upon a misguided and erring member; and have given him credentials or testimonials, as "in good and regular standing" in the very Church from which he had, for a year and a half, entirely withdrawn himself, in worship, in commnion, and in sympathy! For such extraordinary and flagrant proceedings, we hold our brethren of this Council responsible to the community, to our Churches, and to CHRIST!

§ *The nature of a Congregational Covenant, and the question of the Right of a Majority to dissolve a Church, considered.*

After disposing of the case of Mr. Goss, the Council proceed in their Result, to consider "the questions at issue," in regard to the Howard Street minority. "In entering upon the discharge of this duty," they say:

We cannot but be deeply affected with the importance of the principles involved. We are well assured that a case similar to the one in question has rarely, if ever, occurred in the history of our Churches. The principles on which it was attempted to dissolve the Howard Street Church, and by which that act is defended, are not only novel, but in our judgment would, if carried out, effect an entire revolution in our Churches as it regards the import and sacredness of the covenants by which they are bound together; and furnish a new instrument of destruction, to be used in every case of difficulty and division in a Church. Great, therefore, as is the respect and affection with which we regard the brethren who have introduced and are attempting to defend these new doctrines in our Churches, we feel constrained to do all in our power to subject them to a thorough scrutiny, and to call on our Churches decidedly to reject them, as at war with the fundamental principles of our system, and the obvious dictates of truth and righteousness.

And inasmuch as the Tabernacle Church has seen fit to appeal to "the fundamental principles, and accredited usages" of our Churches, and the Essex South Conference has intimated that "precedents" sustain their decision, we shall commence our investigations by the inquiry, what these "fundamental principles and accredited usages" and "precedents" are, in the present case?

After such a statement, it would certainly have been expected, that the Council would have made some quotations from the founders of our system, which would be seen at once to relate to the subject before us, in a distinct, definite, unequivocal, and irresistible application. Seriously, we could not imagine what it was, that had been so unaccountably overlooked, by many beside ourselves, both older and younger, and by some too, whose reputation for sound learning and ripe scholarship, as well as acute discrimination and practical good sense, would not suffer by comparison with that of any member of the late Council. And since it is a matter of fact, that a considerable number of Churches have been dissolved,—not always by unanimous desire, but quite as often by vote of the major part only, both in deed and in form,—we had no small curiosity to see what the Council had discovered or had previously known, which makes such a dissolution an absolute anomaly, and an intolerable outrage.

It was, then, with perfect astonishment, that we read the pages [12—17] of the Result, in which the Council have professed to give us their synopsis or summary of the "fundamental principles of our system," according to the witness of the fathers, "relative to the covenant, by which believers in our Churches are bound to God, and to each other." If we should now take out every passage, which has been cited, and should separate it entirely from the unqualified assertions and assumed inferences of the authors of the Result, it would be seen, that there is not a syllable of a sentiment, which is not found in the

usual forms of our most recent Congregational covenants, or in the most familiar articles of church-administration, as exhibited, for example, in the well known Ratio Disciplinæ of 1829. In truth and soberness, this grave attempt, therefore, with such elaboration and complication of remark upon a few simple sentences, to explain the import and obligations of a church covenant,—was no more expected by us, than would have been a very solemn series of references, with exhortations annexed, to one or more of the earliest copies of the Shorter Catechism of the Westminster Assembly, and some four or five folio "Expositions" of the same, like that of Flavel,—with an allusion, perhaps, to a new edition of the New England Primer,—in order to teach the General Association of Massachusetts, "What is the chief end of man?"

It would have been just as much in point, as regards the main questions at issue, if the Council had quoted any six forms of Congregational covenant in our most recent Orthodox Churches of New England, or any other forms out of New England, even as far off as the missionary Churches of the Sandwich Islands. There is not one of the early covenants as quoted, or as in any way *explained by the fathers themselves*, which at all intimates that a particular Church has no power, right, or authority, to change its covenant, to adopt a new covenant, or to dissolve the very essence of its own particular organization and distinctive identity or individuality. What the *Council* say of the fathers, is one thing, and a very different thing from what *the fathers have said themselves.*

"Churches," the *Council* say, "were with the fathers no mere voluntary associations for mutual religious improvement, which those who formed might dissolve at pleasure, and replace by what they deemed better, or by none at all, as they saw fit." (p. 16.) And are "Churches" so esteemed by any of the Essex South Conference? Produce the testimony! Caricature is here out of place.

But did not the fathers consider "Churches" to be "*voluntary associations?*" And where has any one of them ever said, that these could not, at any time, or for any reason, be dissolved, by the vote of a regular majority? If there is any record of this sort, why have not the Council brought it forth to us? We shall not be content with the asseverations of the Council, as if the very testimony of the fathers in their own person. And when we are told, as in the name of the fathers, "that the covenant with man is included in the covenant with God;" or that they who "covenanted with God to do all his known will, whether it was expressly stated or not, covenanted to come into church-estate with their brethren, and to remain in it,"—we think that the Council had forgotten, that the chief fathers had all been of the Church of England, which denies the whole doctrinal basis, and, of course, the whole superstructure of our Congregationalism.

Could the formers of the First Church in Salem have had any idea of becoming *Congregationalists*, when, in the father-land, they first entered into a personal covenant with God? And if they had continued to be Episcopalians, or members of the old established Church, would they have lived in violation of that personal covenant? Yet if the words of the Result are to be considered a just expression of the views of the fathers, *every one of the fathers was bound by his origi-*

nal covenant with God, to become a CONGREGATIONALIST! And all other true believers have been, or are, under the same obligation. Because, "coming into a church-state is an essential part of the obligation assumed" by those who "give themselves up to God; so that the covenant with Him *is a covenant to enter into*, and *to remain in a visible particular Church, by a covenant with them*," "whether it was expressly stated or not!"

We do not object in the least to the doctrine, that a personal covenant with God binds the believer to the duty of obeying all the known will of God. But Congregationalists as we claim to be, *ex animo*, we have never before heard, that our Congregational church covenant is really included in our personal covenant to be the Lord's. We certainly have been accustomed to suppose, that believers may be Episcopalians, or Presbyterians, for example, without any violation of "the obligation assumed in giving themselves up to God." Yet we have been in error, if the Council are right in their fundamental position. Thousands and hundreds of thousands of real Christians, as we must believe, are partakers of the ordinances and "the seals of grace," yet are not, in any *Congregational sense*, members of "A PARTICULAR VISIBLE CHURCH."

It is a very easy matter, in laying down premises, to assume far too much, and in drawing inferences, to prove far too much. We have other strictures to make upon the representation of our brethren of the Council, in respect to the connection between our Congregational covenants and the personal covenant with God. And we shall show, as we think somewhat conclusively, that, even admitting the general statements of the Council, their inferences in particular do not follow from their premises as surely as they have supposed.

The Council, or some of them, it seems to us, have been at great labor, in preparing so successfully to place the fathers before us in a false position. They have not given us the true state of the ecclesiastical controversy, which was so zealously maintained, in the period when our Congregational system was commenced. Quite too freely have they drawn upon their own imagination; although it must be confessed that they have made an imposing display of names and authorities. And it must have been an effort, as we presume, to work themselves up so high as to exclaim: "Such were the views of the fathers, on this most momentous theme." See Appendix.

We owe, as we conceive, a duty to the fathers, in giving them an opportunity to speak for themselves, as they have not been allowed to speak by this Council. And it may then be seen, how far the Council were warranted to represent them, as in the Result before us. And the reader will be better able to judge whether we deserve to be called "*radical reformers*," or are obnoxious to the charge of inventing "a new instrument of destruction, to be used in every case of difficulty and division in a Church."—pp. 12, 16.

Our Congregational Churches may be said to have originated in the organization of the Church of Robinson, in the North of England, in 1602. "Several religious people," says Gov. Bradford, * * * * "as the Lord's free people, joined themselves by covenant into a church-state, to walk in all his ways, according to their best endeavors, whatever it cost them!" When the Pilgrims of Plymouth were about

embarking for America, there was this agreement; "Those who go first, to be an absolute Church of themselves, as well as those who stay; with this proviso, that as any go over or return, they shall be reputed as members, without farther dismission or testimonial."

The Church of Plymouth, therefore, was constituted in Holland. And upon the simple basis, or according to the model of that brief and beautiful covenant,—"*as the Lord's people, to walk in all his ways, according to their best endeavors, whatever it cost them*,"—our Congregational Churches have all been gathered and sustained, under the gracious care of our covenant God. Whenever a true Orthodox Congregational Church is now formed, it must consist of such persons only as have made an open profession of their faith in Christ, and entered into a solemn covenant with God and one another, to walk together in a church-state, obeying the precepts and observing the ordinances of the Gospel.

Very early in the 17th century, the Brownists, or *Independents*, gave occasion to much ecclesiastical strife. And a fierce controversy it was which raged for some years before the time of the settlement of New England. After the Massachusetts colony at Salem had been established, and the Churches in Boston, Dorchester, and other towns had attracted much attention in England, very serious difficulties arose, in consequence of the unwillingness of the pastors and members of these Churches, to receive or acknowledge as communicants with full privileges, those who had no other claims than the ordinary recognition of church-standing in the establishment. The ministers, also, who had been ordained at home, were ordained here; and persons who had been considered Christians in every proper sense, had now taken upon themselves the obligations of a special covenant of church-membership.

There was much trouble and perplexity in the minds of brethren in England, with whom as members of the established Church, our New England fathers had been united in Christian sympathy and purposes. It seemed to them, as if the action of the brethren here implied, that the brethren there were not really members of Christ's visible Church; and that the requisitions adopted in our early Churches were both unreasonable and unscripural. Hence, among other manifestations of their views and feelings, some of them sent over a list of "Thirty-two Questions;"—answers to which were written in 1639, by the celebrated Richard Mather, the same who wrote the "Answers"* to the "Nine Positions," which last were of small consequence, in comparison with the first.

Take these as examples of the "Thirty-two Questions."

1. Whether the greatest part of the English there (by estimate) be not as yet unadmitted to any Congregation [Church] among you, and the reasons thereof?

2. What things do you hold to be essentially and absolutely necessary to the being of a true visible Church of Christ?

3. Whether do you not hold all visible believers to be within the visible Church, as members thereof, and not without in the Apostle's sense, 1 Cor. v.,

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* *Not* "written," as the Council say, "in all probability by the celebrated John Cotton."

and, therefore ought so to be acknowledged and accepted in all Congregations [Chs.] wheresoever they shall come, and are so known; and ought, (if they desire and be not otherwise unfit) of right to be permitted to participate in all God's ordinances, and church priviledges there, so farre as they personally concern themselves, although they be not as yet fixed members in particular covenant, either with that Congregation [Church] where for the present they reside nor with any other?

4. Whether you do not hold, that Baptism rightly (for substance) partaked, doth make them that are so baptized, members of the visible Church; and so to have a right (at least quoad nos) to all the priviledges thereof (so far as they are otherwise fit) untill they be cast out (if they so deserve) by excommunication?

8. Whether do you require of all persons of age, whom you admit members of any Church,—

(1.) A publike vocall declaration of the manner and soundness of their conversion.

(2.) A publike profession of their faith concerning the Articles of Religion.

(3.) An express verbal covenanting to walk with ☞ *the said Church in particular*, in Christian fellowship.

☞ (4.) And not to depart from the said Church afterward, without the consent thereof; or how do you hold and practice in these things?

9. Whether do you hold all, or the most of our parish assemblies in Old England, to be true visible Churches of Christ, with which you may lawfully joyne in every part of God's true worship (if occasion served thereto;) or if not all or the most, then what ones are those which you so account, and with which you durst so partake or joyne; and in what respects?

12. Whether do you hold, that every Believer is also bound to joyne himself as a fixed member to some one particular Congregation, so if he does not, and so often and so long as he doth it not, so often and so long he is without the Church in the Apostle's sense, (1 Cor. v.) as a Heathen or a Publican, out of the kingdom of Christ and possibility of salvation, according to that maxim in divinity, *Extra ecclesiam non est salus?*

17. Do the major part of a Church always carry a vote?

These questions at once present the leading points, upon which the evangelical members of the Church of England, as well as others, asked for light. And most needless it would be to multiply authorities in proof, that the chief or cardinal objection urged against the system of our fathers was, that, *by requiring assent to a special covenant of church-membership, they excluded all others from the rights and privileges of believers.* This, in various modes of statement, was the essence of the whole difficulty, so far as appears, in the minds of such men as Rev. W. Rathband, of London, and numerous godly ministers, who believed the "Church of England a true Church of Christ."

Our readers may like to know in what manner these questions were treated. In answer to the Second Question, it was said:

When a visible Church is to be erected, planted, or constituted, by the appointment of Christ, it is necessary that the matter of it, in regard of quality, should be saints by calling, visible Christians and believers, 1 Cor. i. 2, Eph. i. 1. And in respect of quantity no more in number in the days of the New Testament, but so many as may meet in one Congregation, 1 Cor. xi. 20, xiv. 23, &c. &c. And the form, a gathering together of these visible Christians, a combining and uniting of them into one body, by the bond of a holy covenant, for which we refer you to the Apologie

of the Churches in New England sent the last year, in answer to Mr. *Bernard*, &c.

In answer to the Third Question, it was insisted that believers ought to be united with some particular Congregation, i. e. Church.

As to the Fourth Question, it was said that, "by reason of the infancy of the Churches," the occasion had not come to determine, whether baptized children should be admitted to full privileges, &c.*

In regard to the fourth specification under Question Eighth, reference is simply made to "the answer to the Sixth Position sent the last year."

Upon the Seventeenth Question, the answer was, that

> Church matters are not to be determined merely by multitude or plurality, but by rule from the word of Christ, whose will, (and not the will of the major or the minor part of members,) is the only rule and law for the Churches. Jam. iv. 12, &c. &c. For our practice among us, the major part of the Church, yea, usually the whole Church, doth consent and agree in one mind, and one judgment, and so gives a joint unanimous vote; and the rule requires it should be so. Rom. xv. 6. And the example of the Primitive Apostolic Church, when things were carried (not merely by the major or the minor part, the rest dissenting but) with one accord. Acts i. 14, &c.
>
> If it appear that they who dissent from the major part are factiously or partially carried, the rest labor to convince them of their error by the rule [the word of Christ]; if they yield, the consent of all comfortably concurreth in the matter; ☞ if they still continue obstinate, they are admonished, *and so standing under censure, their vote is nullified!!*

It is further stated, that, if the dissenting members continue in "obstinate opposition," means are employed to convince them of their error, other Churches may be consulted, &c. &c.

The reader will mark the exceeding adroitness of this answer to Question Seventeenth. *Unanimity must be secured, even if an opposing minority should be placed under discipline, and thus disqualified to vote!* It is unnecessary to say, that this experiment of unanimity in voting was soon abandoned, in those few Churches where it was tried. And as the writer of these "Answers" was the principal architect in framing the "Platform of 1648," it is easy to account for the *Veto* power which is there given to the Eldership. It is singular that the fathers should not have considered the passage, 2 Cor. ii. 6. "Sufficient to such a man in this punishment, which was inflicted of many." "Many" means *the majority*.

The fathers maintained, that such a covenant as they usually adopted and required, was according to the Scriptures and the will of God in the constitution of Christian Churches. But we have seen no evidence that they would say with the Council, (Result, p. 15,) that "*the covenant with man is included in the covenant with God.*" They insisted upon the propriety and expediency of a formal bond of union, by agreement of individuals to walk together, in the ways and ordinances of the gospel. Thus the Rev. Thomas Hooker, of Hartford, in his "Survey of the Summe of Church Discipline," says:

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* We need only here allude to the Half-way Covenant, adopted by many Churches, in 1662.

If you take the covenant *of the Gospel* in *so full* abreadth, as that it should include whatever *is warranted* by the Gospel, then, this Church covenant may be said to be *included in it.* ☞ But if it be taken in the *narrowest acceptation* (Believe and live) Then *it is not the covenant of the Gospel.* For that it is inward and *invisible* in its own nature, betwixt *God* and the *soul* only: But *this* is *visible* betwixt those who do professe the Faith. That concerns all, and at *all times*, to do the duties of it, i. e. to *believe* and *live.* But this concerns only those who are in this church-estate. ☞ So that in case the Churches are dissolved, and through persecution scattered, they are not then bound to the duties of this confederacy. ☜

It is then *an ordinance of the Gospel*, and *warranted by the Gospel*, but it is *not* in propriety of speech *the covenant of the Gospel.*

And this also is here considerable, that we may discern things that differ: The making of the confederation belongs to *the Gospel*, but *being made*, it hath also a confirmation from the *Law.* As the appointing of *Baptisme* and *Eucharist* belongs to the Gospel, are ordinances thereof, but being instituted, they stand by vertue of the *Second Commandment*, and must be observed by vertue thereof. A man may be within the covenant of the moral law, ☞ and yet not be bound to the duties of a husband, unless he make a particular covenant with such a woman to be her husband.

And hence there is a broad difference betwixt duties and duties, as the difference is large in the respects upon which they do arise. Many duties flow from the generall and necessary duties of morality, which reach a man as a *creature*, with reference to *God* as a *Creatour*, or else to his *fellow creatures.* And hence *this* relation from a rule *of nature*, it hath nothing to do with a *free covenant*, that must come between the persons and their duties. But in that they are creatures they must do homage to their Creatour, and duty to their fellow-*creatures:* if a neighbour, preserve their honours, lives, goods, good names, yea, be mercifull to their beasts, because such a creature. ☞ But there must intervene a new covenant betwixt parties and parties by mutual and free consent, before they either should or can take up *another sort of duties.* People must by mutual consent grow up into ingagement one with another into a corporation, before they should do the duties of a corporation. A *servant* must covenant with his Master, before he need or ought to serve him as a Master.

And here these two things are apparently distinct. To *Swear* to do *the duties* of a servant, when he is one, doth *not make* him to be a servant. The like to this, we may say touching the choosing of *Pastors*, *Teachers*, *Elders*, *Deacons*, these are *the Ordinances of the Gospel*, and there is a peculiar covenant betwixt those that choose, and those that are chosen, which *is not the covenant of the Gospel* in precise consideration.

The substance of this was in the time of the Law, and that covenanting among them issued, as it seems, from the Gospel. They were a called and select people unto God, Amos iii. *You only have I known, of all the nations of the world*, and therefore received into visible covenant, to walk in the waies of God, and the truth of his worship: and God ingaged himself, that he would bless those priviledges, and the use of them, to their good, and the good of their *children*, *reserving secret things to himself.**

The author then proceeds to consider the first argument of his opponents—against such a view of the Covenant of our Churches,—viz. "*All will-worship laying a bond upon the Conscience, where God laid none, is damnable.—But to tye men to enter into Church-estate by Covenant, so that without such an oath or Covenant, persons should have no right to the Seals of God's grace, is will-worship, and binding where God hath not bound.*"

* In quoting the above, the emphatic parts are given, as marked by the author.

The Council have told us, that "In Hooker's Survey, the whole of the seventh chapter of Part I. is devoted to answering the arguments against their views [i. e. the views of the fathers] of the church covenant, alleged by Rutherford and various others." (p. 15.) We have made the preceding extracts from the first part of this same chapter. The reader may judge for himself what was the object of "Hooker;" and whether he believed, as the Result would have led us to suppose, viz., "*That the covenant with man is included in the covenant with God.*"

It certainly would seem to be very plain, that other questions were in controversy, than such as have been occasioned by the act of the Howard Street Church, May 4th, 1847, and by the consequent proceedings of the Essex South Conference. The Council have either entirely mistaken, or else they have perverted the witness of the fathers, in respect to the relation of the covenant with man to the covenant with God. The covenant with man has the solemn sanction of a pledge "in the presence of God;" but like the covenant of marriage has its implied conditions. It is not death alone that dissolves the latter; neither may it be possible for either party to fulfill its provisions, according to *the letter* of their promise, or the original purpose and expectation.

It is not from an expressed or implied recognition of the duty, *at the time of personal covenant with God,* that an individual afterwards becomes a member of a particular Church. Persons become Christians, or enter into covenant with God—on land and on sea—in all kinds of social and religious connections. In such a personal covenant, as that found, for example, in "Doddridge's Rise and Progress of Religion in the Soul," there is no mention of church-membership. So in real practice generally. Must not our brethren have forgotten, that there are other Churches in the world, and not all "particular Churches," besides those to which we belong, and for which we labor? Thousands of communicants have no such idea of a church-organization, as that which we prefer, and which we love to consider, as not only agreeable to the word of Christ, but most conducive to the advancement of his kingdom.

The fathers, being obliged to defend the propriety of adopting such covenants as theirs, against objections from divers sources, governed themselves accordingly. Against the objection, for example, that those taking such a covenant might be already in the Church, in the sense of the Apostles, and therefore such a covenant was unnecessary, —they urged a very important distinction between a covenant with God and a covenant with one another. But against the objection, that such a covenant was of the nature of "will-worship," and that there was no authority to compel any one to bind himself by it, that he might "have a right to the Seals of God's grace,"—they urged the general obligations of all in covenant with God, in respect to mutual care and watchfulness; and repelled entirely the imputation of "will-worship."

In the "Apologie of the Churches of New England," &c., to which Mather refers in the "Answer to Question Second,"—(published in 1643, the same year with the "Answers," &c.)—a church-covenant is thus described:

A solemn and public promise before the Lord, which a company of Christians, called by the purpose and mercy of God to fellowship with Christ, and by his providence to live together, and by his grace to cleave together in the unitie of the faith and brotherly love; and desiring to partake together of all the holy ordinances of God, doe in confidence of their gracious acceptance in Christ, bind themselves to the Lord and one to another, to walk together by the assistance of his Spirit, in all such wayes of holy worship in him, and of edification one towards another, as the Gospel of Christ requireth of every Christian Church, and the members thereof.

They bind not themselves to observe any devices of their own, nor inventions of men, but such things as the word of God requireth; neither is it perfect obedience to the Law, for that were impossible to perform, and presumption to promise; nor is it onely in general the duties of the Gospel, ☞ but specially such duties of worship to God and edification of one another, as concerne church-state, which now they enter into.

Cotton Mather, in his "Ratio Disciplinæ," &c., gives us the form of a church-covenant,—from which, it may be remarked, that of the Tabernacle Church appears to have been taken.

The church-covenant thus used in the Churches of New England, is by intelligent and considerate persons looked upon as no other than *the covenant of grace*, ☞ more particularly applied unto the duties and concerns of *particular Churches*. *Particular Churches* are in their apprehension an *Institution* of our Lord Redeemer; and there are *particular duties* which the members of these Churches owe unto their elders and unto one another. The church-covenant is but an acknowledgement of the obligations to these duties lying on the members of the Churches, &c. (p. 10.)

Why could not the Council have given us some of these explicit statements of the fathers? Did they not dare to trust the fathers, in uttering their real sentiments?

Our more recent "Ratio Disciplinæ," that of 1829,—has well exhibited the common and the true idea of our church-covenants.

The subjects of them ought first, relying on the blood of Christ, sincerely to surrender themselves in all things to God, and then to the brotherhood; and this, it is believed, is the form, which has generally been assumed by the covenants of particular Congregational Churches. That is; they are usually made up of two parts; the first being a mutual promise to give themselves up to God, and the second to each other. And although we may conceive of a Church united together by an implied or unwritten covenant merely, it is deemed altogether desirable and preferable, that it should be express and recorded. (pp. 59, 60.)

Such have been the views of our evangelical pastors and congregational church-members generally, from the very first. Their covenant, as church-members, relates to the Great Head of the Church, and to those with whom they engage to walk in his service and to his glory. And there is no pledge whatever, which prohibits them from acting, in appropriate circumstances, to modify the terms of their covenant, to make a new covenant, or to dissolve the organization itself to which they have been bound. The covenant, so far as pertains to a particular organization, is *conditional;* and it may as truly be said, that no one, who adheres to his covenant, can ever remove his relation to another Church, as that a Church by its majority can never disband.

In 1662, the most of those who framed the Platform of 1648, procured a change of the covenants of their Churches to what was called the Half-way Covenant. Even Richard Mather argued strenuously for this change, and was chosen to reply to the powerful objections of Davenport; and the "matchless Mitchell" of Cambridge was brought out for the overthrow of Increase Mather, who, for a time, did not agree with his father, as to the "*Synodical Propositions.*"* Are we to be told, that such men entertained views of the obligations of a Congregational covenant, which are radically and irreconcilably opposed to the advice of the Mutual Council to the Howard Street Church, in April, 1847; or to the action of that Church, in May following? The right to change a church-covenant certainly implies all the right, for which we contend, in regard to a change or a dissolution of a particular Church.

The fathers have said nothing,—so far as we have ever seen or heard,—which, in the least degree, contravenes the doctrine, which we ourselves hold in regard to the right of a Church, to dissolve its particular organization. And that they did not hold any such doctrine as the Council have ascribed to them, is conclusively evinced by the action of several of the early Churches, in respect *to their own* particular organization. The Church of Mr. Hooker himself, removed, by vote of a majority, from Newton, to Hartford; and those who were left behind *were not recognized as the Church*, but were gathered into a new organization, by Mr. Shepard, of Cambridge. So was it with the Church in Dorchester, which removed to Windsor in Connecticut. The individuals left behind *were not the Church;* for the majority had carried the Church with them, when they removed. And the Church in Plymouth, also, voted, at one time, by its majority only, to remove to Eastham; but afterwards the enterprise was abandoned. If the enterprise had been prosecuted, the majority, and not the contesting minority, it was well understood, would have been the Church.†

Now, what fearful consequences have the Council depicted, in their condemnation of the Howard Street majority and those who have sustained them, which were not also liable to result from such proceedings as those, by the acts of the majority in the Churches of Newton and Dorchester? When Mr. Shepard and Mr. Mather saw all "bonds sundered," "all ties cut," and each member who was left "*floating as a solitary atom on the surface of the ocean of this cold world,*"—was it not very kind to "PICK THEM UP?" (Result, p. 22.)

We find another case, in 1639, of which Winthrop has spoken, in his "Journal." It was that of the Church in Wethersfield, Conn. "Of the seven which were the Church, four fell off, ☞ so as it was conceived that thereby the Church was dissolved, which occasioned

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* The fifth of these was, that "church-members who were admitted in minority, understanding the Doctrine of Faith, and Publickly Professing their Assent thereto, not scandalous in Life, and Solemnly owning the Covenant before the Church, wherein they give up themselves to the Government of Christ in the Church, their children are to be baptized."—[See "Remarkables of Dr. I. Mather."]

† See references, Spirit of the Pilgrims, Vol. i. pp. 135, 6,—with an article of great value on the general subject of the Rights of Churches. It was prepared by Dr. Pond, assisted by the elder Dr. Beecher, and Hon. Samuel Hubbard. In several important particulars, the argument there is against the late Council. See also Biblical Repository, Vol. v. p. 383.

the Church of Watertown here (which had divers of her members there not yet dismissed) to send two of their Church to look after their members, and take order with them. But the contention and alienation of minds was such, as they could not bring them to any other accord than this, that the one party must remove to some other place, which they both consented to; but still the difficulty remained, ☞for those three who pretended themselves to be the Church, pleaded that privilege for their stay, and the others alleged their multitude, &c., so as neither would give place, whereby it seemed, that either they minded not the example of Abraham's offer to Lot, or else they wanted Abraham's spirit of peace and love. This controversy having called in Mr. Davenport and others of Quinipiak [New Haven] for mediation, and they not according with those of Connecticut [the ancient colony] about the case, gave advantage to Satan to strew some seeds of contention between those plantations also; but being godly and wise men on both parts, things were easily reconciled." *

We learn from Trumbull's History of Connecticut, that ultimately a part of the leading men of the town, including some of the contending church-members, removed to New Haven. Most evidently, Gov. Winthrop recognized *the four*, who were the majority, as being the Church proper,—although they had broken away from the *three*, "*who pretended themselves to be the Church, pleading that privilege* for their stay." So also did the eminent Rev. William Hubbard, of Ipswich; as we infer from his inserting the extract from Winthrop's Journal, in his "General History of New England," as if his own personal narrative. (Chap. xli.)

Such facts as these will show, whether, for good and sufficient reasons, the majority of a Church might not essentially change its organization, or dissolve itself, in the days of the men, who adopted the first covenants ever known in New England. And certainly, this could have been done, if the majorities should proceed to "admonish" and suspend the minority, and thus "*nullify their vote*;"—according to what we have already cited from Richard Mather's Answer to the 17th of the "Thirty-two Questions."

In an age when our modern system of Congregationalism was in its childhood, would Mather and the rest of the fathers have denied the right of a particular Church, to disband, especially under advice of a Synod or Council, when it was a great question and in earnest debate between them and brethren in England, and "mighty in the Scriptures," *whether any such organizations as particular Churches like theirs, should ever be formed at all?* Our judgment is, that a Howard Street question would have been put to rest, in a very brief hour, in the town of Salem, on the 4th of May, 1647. A contesting minority would have found themselves in the possession of the magistrates, much sooner than they could have laid their hands upon the church-plate, and have gained the forcible occupancy of a house of worship, in which they did not own a fifth part as proprietors.

In the year 1634, there was a difficulty in Lynn, which brought together what in these days we call a Council.

Divers of the brethren, not liking the proceedings of the pastor, and

* Winthrop's Journal, Mo. 5, 1639.

withal questioning whether they were a Church or not, did separate from church-communion. * * * * Both parties, after much debate, being heard, it was determined that they were a true Church, though not constituted in due order, yet after consent and practice of church-estate had supplied that defect, and so all were reconciled at that time." * * *

In the latter part of the year 1635, Mr. Bachelor, the pastor of the Church

☞ Was complained of to the magistrates, and convened before them on this occasion. He came out of England with a small body of six or seven persons, who settled with him at Lynn, where he received many of the inhabitants of the place into his Church, or at least, ☞ they had with the rest received him as their pastor; but contentions growing between him and the greatest part of his Church, he desired dismission for himself and his first members, which being granted upon supposition that he would leave the town, as he had given out he would, he, with the six or seven persons, ☞ renewed their old covenant, intending to raise another Church in the place; whereat the most and chief of the town being offended, (for that it would cross their intentions of calling another minister) *complained to the magistrates*, who, foreseeing the distraction which was likely to come by this course, *had forbid him to proceed in any such church-way*, until the cause were considered by the other ministers. *But he refused to desist*, whereupon they sent for him, and upon his delay, day after day, *the marshall was sent to fetch him. Upon his appearance and submission, and promise to remove out of the town within three months, he was discharged.*

The next year, there was a movement in Lynn, upon which Hubbard makes an instructive remark.

They of Lynn gathered another Church. There was some difficulty in settling them in church-order anew, in regard they had many of them formerly belonged to another Church in Mr. Bachelor's time. According to the usual observation, that many times it is ☞ more easy to raise a new building than repair an old one, especially when the persons concerned either want experience or skill in the kind of architecture, as was said to be the case there.*

Had not Mr. Bachelor's Church been *dissolved;*—or was it not so considered?

And here we are reminded, that the Cambridge Platform, beside allusion to the liability of Churches to be dissolved, very clearly implies, that the magistrates might have occasion, in some circumstances, to use their peculiar authority in dissolving a Church. "If any Church, one or more, shall grow schismatical, rending itself from the communion of other Churches, or shall walk incorrigibly and obstinately in any corrupt way of their own, contrary to the rule of the Word; in such case the magistrate [Josh. xxii.] is to put forth his coercive power as the matter shall require."—Chap. xvii. 9.

The Platform, it should be borne in mind, is "*a Platform of Discipline.*" Its rules apply to Churches while in actual existence, and are designed to promote their order, peace and useful preservation. Like the Constitution of the United States, which does not anticipate a dissolution of the Union, the Platform does not prescribe the mode of dissolving the organization of any particular Church, which has been

* Hubbard's History, &c. Ch. xxviii.

formed upon the basis of a Congregational covenant. Yet as the people of the United States have the original right to change their form of government, so have members of our Churches the right to change or to dissolve their own organization, whenever they see fit to act by their regular majorities. We find nothing in the ecclesiastical history of the earliest times of New England, which militates, in the smallest measure, against this doctrine.

From these general statements and considerations, we now pass to a more particular examination of the argument of the Council, against the action of the Howard Street majority,—May 4th, 1847.

Among other quotations in the Result, is the following from the Platform.

This form is the visible covenant or agreement or consent whereby they give up themselves unto the Lord, to the observing of the ordinances of Christ together in the same Society, which is usually called the Church Covenant. For we see not otherwise how members can have church-power over one another mutually.

In examining the Congregational usages and principles with respect to the transfer of covenant relations from one particular Church to another, the Council state that there are only three ways by which a person's connection with a particular Church can be dissolved. 1. By dismission on the condition that the relation with the Church which they propose to leave, shall not cease until they shall have been received by the one to which they are recommended. 2. By death. 3. By excommunication.

There is another way which those who make pretensions to a superior acquaintance with our church-system should not have omitted—the withdrawal of a member from a Church which has become corrupt and scandalous.

The above three modes of ceasing to be members of a particular Church, are supposed to be the only ones recognized and allowed by Congregational principles. Every other way is precluded as a violation of the covenant, and the established rules of our ecclesiastical polity. "These then are the only modes of leaving the Church; and till it is thus left, all who are in it are bound not only to God to remain in covenant with each other, but also to each ether by the mutual vows which they have assumed."

The Council rest their position on two grounds. First, that it of necessity flows from the preceding views of the covenant. Secondly, it is in universal accordance with the fundamental principles and accredited usages of our system.

In respect to the first point, we inquire how it appears that the covenant admits of no other mode of leaving the Church. The formers of Congregationalism have established what rules in reference to this subject they deemed just and scriptural. But that the covenant by which Churches are united, independently of the regulations adopted,

restrict separation from these organizations to these particular forms is not so obvious, as not to require more than the declaration of the Council to support it, and they have given us nothing beside. It is worthy of remark, how strongly they assert, that three modes only of leaving the Church are admissible from the nature of the covenant; when that very platform upon which they place so much reliance, expressly provides a fourth, and, for aught that appears, the Synod of 1648 might have decreed still another, without any inconsistency with the obligations of the compact. (See Appendix.) Now, to what does this obligation bind the members of the Church? "To the giving themselves up unto the Lord, to the observing of the ordinances of Christ together in the same Society." After quoting this and something additional from the Platform, the Council say,—"Here we see that coming into a church-state is an essential part of the obligation assumed in giving themselves up to God, so that the covenant with Him is a covenant to enter into and remain in a visible Church, by a covenant with them."

The covenant is certainly not an obligation to remain, unconditionally and perpetually connected with a particular Church, into which a person may be admitted. The obligation which a person assumes to the Church of which he becomes a member, is, to remain with it, until the connection shall be dissolved in some of the modes of separation provided. This does not bind him with reference to any other Church whatsoever. We do not understand the Council to maintain any such idea. But if we do not misapprehend them, their view is, that, as when a person enters into a church-state, he covenants to do all the known will of God; and, as it is one part of the will of God, that all those who have truly received the Gospel should be united in church-fellowship, therefore the covenant binds to uninterrupted membership in some organization or other. Now we maintain, that when a person obligates himself to be connected with some Christian Church on the ground of its being a part of the will of God, the obligation must be interpreted with reasonable latitude.

The private consecration which every true believer makes of himself to God, binds him to perform all the known will of God, just as really as the public dedication. The covenant which he makes in secret is just as imperative and incapable of suspension, as that which he makes when he enters the Church. But must he form the relation immediately on completing this private transaction? This, of course, the Council would say in many cases is impracticable, and therefore not obligatory. But sometimes it would be practicable within a short period, when it would be attended with much personal sacrifice, or so interfere with other duties as plainly not to be a duty for a considerable time. Then it would appear that the obligation to enter into church-fellowship, as deduced from the covenant made with God in a private manner, admits of temporary suspension in some cases. Suppose a person afflicted with ill health is advised, by medical authority, to try the benefit of a voyage to sea. He embarks on board a vessel bound to a distant land. He proceeds but a little way on the voyage, becomes penitent, makes a formal consecration of himself to God, and binds himself to perform all his known will, one part of which is that he should become a member of a Christian Church. A vessel is met

with, in which he has an opportunity to return, and place himself in a situation to perform the duty, much sooner than he could by continuing his voyage. Suppose it doubtful whether he lives to be restored to his native land, especially if he continues the voyage, and that if he does not embrace such opportunity, he may never be in a situation to unite with the Church. What must he do? He greatly needs the watch and care of Christian brethren. He has solemnly covenanted with God to place himself in church-relation, and his only apparent chance for life depends on prosecuting the voyage. If he has such rigorous notions of the nature of his covenant as the Council seem to have, he must return as speedily as possible, and offer himself for admission to some Church, and expose himself to all the hazardous consequences. The execution of his vows does not admit of any delay that can possibly be avoided. But if he remembers and properly applies the inspired declaration—"I will have mercy and not sacrifice,"—he will pursue his original purpose. The occurrence to his mind of the averments of one of the sacred authors, that a righteous man sweareth to his own hurt and changeth not, will not deter him; because, if he is a reasonable man, he knows that it must be subject to many limitations. No one supposes that if a man swears ever so solemnly to commit suicide, the oath would be binding, because it is swearing to inflict an injury on himself which he has no right to commit.

Suppose a person to be residing in a city with which he has, as yet, formed but slight acquaintance. He embraces a religious life. He devotes himself to God, as many have done, in a written formal covenant, transcribed from some church-covenant with which he is acquainted. He sees it clearly to be his duty to make a public profession in the Congregational way. He obligates himself specifically to do so, but wishes, as he ought to do, to unite himself with that Church in which his spiritual interests will be best promoted. Opportunities are presented to him to connect himself with some organization; but he is not yet able to decide where his duty requires him to attach himself, and the opportunity passes away unimproved. Is there any wrong, any violation of his covenant, in delaying until he has ascertained what arrangement will best secure his spiritual edification? He may be too fastidious, and the delay may be unreasonably protracted. But some delay is, we think, most plainly admissible. And there can be no doubt that all persons, except those whom some transcendental theory drives to an extreme position, will unite with us in opinion. Now if a person, who has made a secret covenant with God to unite in church-fellowship with his people, may suspend the fulfillment of his promise for reasons connected with his personal advantage, he may suspend the execution of his stipulations when made audibly and publicly. The form in which his covenant is made does not affect the *nature*, though it may the *extent* of the obligations.

But we may go a step further. Let us imagine an individual about to be united with a Christian Church, and having proceeded as far in the provisions of the covenant, as to "choose the Lord to be his God, to walk in his ways, keep his commandments and to hearken unto his voice,"—should be suddenly taken ill, or hear some tidings respecting a change in the state of his family that called for his presence and assistance. Must he at all events proceed, neglecting to care for

himself or send aid to his family in circumstances of great exposure and peril; because, as he has covenanted to obey all God's commands in a public manner, and it is now practicable for him to enter immediately into church-fellowship, he cannot be released from proceeding to form the connection, at the risk of some very serious consequences? And yet, with the high and mystical notions which the Council entertain of this covenant, we do not see how it is consistent, for a person in such circumstances, to suffer any interruption in the transaction.

Let us make another supposition. A small church is, in the course of a few days, swept away by an epidemic, with the exception of one individual. His covenant with his brethren is dissolved by the act of divine Providence. It is doubtless his duty to seek a membership in some surviving Church as soon as he can consistently. But if his own health is suffering, if his family require his constant attention for their relief and comfort, if his secular affairs are much embarrassed and pressing, it is left to his reasonable and Christian discretion, to determine the time, when he shall take measures to place himself in new church-relations. Though he is not accountable for the cessation of his covenant connections, he is responsible for the continuance of this cessation, beyond the time within which it is possible for him to reinstate himself in ecclesiastical fellowship. But nevertheless, prudential reasons—reasons connected with the convenience and comfort of himself and those dependent on him—may be sufficient to render him excusable for remaining in an uncovenanted state for a period of considerable length. Any other considerations of equal validity would of course be just as suitable grounds of justification.

The notion that when a person has made a covenant with God to conform to his will and ordinances, therefore the connection with some visible Church admits of no delay or *discontinuance*, which it is possible to avoid, seems to us so extravagant, superstitious and ridiculous, that it is a matter of wonder how a man of common sense should entertain it for a moment.

The next point to be examined is—do the fundamental principles and accredited usages of our system, confine disconnection with a particular Church, exclusively to the above methods?

Great reliance is placed by the Council on the following provision of the Platform. "Order requires that a member removing have letters testimonial and of dismission whereof he yet is, unto the Church whereunto he desireth to be joined. Until the person dismissed be received into another, he ceases not by his letters of dismission to be a member of the Church whereof he was. The Church cannot make a member no member but by excommunication."

Now although the Platform *possesses no authority by itself*, and nothing that it contains is necessarily a part of our ecclesiastical system because found there, yet we admit that it is general, and perhaps universal usage, to dismiss members wishing to leave a particular Church, on the condition above specified. It is a wise and wholesome practice for general purposes. But there are cases for which the principle involved was not intended, and is certainly not adapted to meet; and it comes in conflict with other universally acknowledged principles of the Platform, and of our present ecclesiastical system. It is provided in the Platform, and required now by Congregationalism,

that church members who wish to remove to a distance, should have letters of dismission and recommendation to other Churches with which they may wish to unite.

Now suppose a Church of ten members, all of which except one, wish to go where Mr. Goss has gone, to California. It is their right and privilege to have letters of dismission and recommendation to other Churches in good standing, which they may find in that region. The nine take letters—they remove—become members of the California Churches against the wishes and earnest remonstrance of the individual, who refuses to take a letter of dismission, and chooses to remain, as far as the circumstances allow, in his original position. Is not the covenant which that individual made with the Church upon his admission dissolved without his consent; and that not by death or excommunication? With whom is he in covenant? Who is bound to watch over him? If he commit an offence, who shall deal with him and take measures to reclaim him? Perhaps it will be said—it is said by some—that such person constitutes the Church. He is an assembly by himself, he is a noun of multitude. He is a plural substantive in the singular form, and nominative case independent. Well, suppose he is a Church; what then? What sort of a Church is he? He is a Church without covenant—without fellowship—without discipline—without membership—without any thing which enters into the proper notion of a Church. He is a Church, deprived of all the beneficial uses of a Church, without answering any of the ends for which church-organizations are instituted. He is like a complete watch, without mainspring and wheels, and that keeps no time. He is a pair of shears with one blade, and that blade without edge or point.

Now if the Council choose to consider such a person a Church, they can do it. It would not surprise us. And we do not know that we should be very much surprised, if they should please to consider a solid block of wood a complete watch, because it was circular, and had a watch-chain attached to it, and the representation of the dial-plate of a watch on one of its faces.

Perhaps it may be said, that an individual left in such a situation may be considered as a Church, and in some sense under the watch and care of other Churches, according to the provisions of the Platform for the discipline of erring Churches by others, who have maintained their steadfastness. But the same Platform informs us, that the matter of a visible Church are *Saints* by calling, and this accords with the views of all standard writers on Congregationalism. And what is still stronger—"ONE PERSON IS INCAPABLE OF BEING A CHURCH." If the individual is not a Church by the Platform, then the articles of the Platform relating to the discipline of Churches do not apply to him.

Now here is a member of a Church made no member without excommunication. His covenant with the Church is dissolved. Without any censure and without his consent, he is cut off from all ecclesiastical connections. He is left with no one under any ecclesiastical obligation to care for him and watch over him; and, according to the Council, *is as really turned into the world for a time, as though he were excommunicated.* In the language of the Result, with slight variations—he is no longer in covenant, is a member of no local Church, and,

of course, is under the covenanted watch and care of no human being on earth. And he is put into this condition, to use the language of the Result again, "in a mode authorized by our system and perfectly consistent with the vows of the covenant." Verily the new doctrines of the Tabernacle Church and others are old doctrines after all!

Perhaps some would contend, that when the majority of the Church perceived their measures tending to this result, they should have stopped short of the catastrophe; and should have left enough in the Church to maintain its organization and beneficial uses. But who of the number that were about to remove to such a distance should be selected to hold the Church together? Under what obligations do the principles of Congregationalism lay them to make the sacrifice? What moral or Christian obligation would bind them in such a case. Should they be detained at home, or forego the privilege of a connection with the Churches where they reside, just for the sake of retaining a nominal relation to a distant Church, to which they could discharge no duties, and from which they could receive no advantage, and that to comply with the caprice or stubbornness of an unreasonable man? Some may say, that in case of obstinate unwillingness to take a letter in such circumstances, the individual refusing might be disciplined and excommunicated. But suppose the person to resemble some other members of our Churches—full of zeal and making great pretensions, and doing many things, with nothing tangibly erroneous, or so much so as to furnish a ground of discipline, only possessing a holy self-willedness, which in the eyes even of some who claim to be men of discernment, as well as others, passes for unusual strength of Christian principle. It would not be consistent with the principles of Congregationalism to exclude a person from the Church, for some unreasonable pertinacity of temper. It would be too severe. Besides, if such a measure could be resorted to, how easy it would be for the majority to disband Churches? It is only for the opposing minority to be excluded, and then every obstruction is removed out of the way. It would be as easy, nearly, to dissolve Churches in this way, as by a direct disbanding vote.

If it should be further contended, that the person left in the condition supposed by withdrawment of members, could, by assistance of Council or otherwise, receive accessions of those who would take the Church by the hand and give it action and efficiency;—we reply by supposing the situation of things to be such, that there is no reasonable prospect of this enlargement; that there are other Churches enough to meet the wants of the community; that there is not the least need whatever of an additional organization; and that the probability amounts almost to a certainty, that the non-complying individual will be left without any church-relations or privileges at all, unless he should resolve to abandon his awkward condition and connect himself with some Christian society.

And if the state of things were quite otherwise, it does not change the uncovenanted, unchurched position of the individual, until the accession be made. It would still remain true, that a Church could make a member no member without excommunication; and that a majority could disband a Church, in opposition to the wishes of a minority. If two were left by the departure of the majority, their

state would be but a little improved on that of a single individual. How could discipline be maintained? How could the directions of the xviiith of Matthew be pursued? One offends against the other. The person who receives the injury, converses with the offender privately; but obtaining no satisfaction, proceeds to take the second step. He applies to two or three brethren to make a second visit to the aggressor. But to whom is he to resort? You say, perhaps, that in such an exigency, for which ecclesiastical law does not provide, he seeks the assistance of brethren from a neighbor Church; but the second visit is attended with no better result than the first. He then takes the third step, and tells his grievance to the Church. But what and where is the Church in such a case? Neither the offender nor the injured person is such;—it exists no where;—it is a non-entity. This mode of discipline is at an end. Suppose one to excommunicate the other in a summary way, for an alleged public and scandalous offence; and then suppose that the excluded person hurls defiance to excommunication, on the ground that he was not put out by a majority, as the covenant of the Church required. While the parties are in this repellent attitude, we may imagine that one of the individuals, not obtaining the consent of the other, for a Mutual Council, calls an Ex parte one;—that, for instance, whose Result we are reviewing. They hear the case. They find that the covenant provides expressly, that all questions in dispute shall be settled by vote of the majority. But they have such high notions of the infrangibility of the covenant, that they are a little perplexed. We suggest to them the expedient of putting the disputants into scales, and letting the heaviest person be considered the majority. It could not be denied in such a case, that the decision of the Church carried *weight* with it, although it might lack the suffrages of numbers. But this would not remove the whole of the difficulty, as the Council view the matter; for whichever of the individuals should have his opinions ratified by the Council, and be considered as the Church, would by the very act be *cut off* from all church-connections and privileges, and cast out into the world. By the act of recognizing him, the Church would unchurch him, and leave him without a single human being covenanted to watch over him.

If now we imagine one of this dual Church to withdraw from the other, in the mode pointed out in the Platform for the sound part of such a body to secede from it, when it has become degenerate and corrupt, this would not satisfy the Council; for they are very explicit in saying, that there are, and can be, only three modes of dissolving the connection of a member with a Church, among which this mode of doing it is not mentioned; and they seem, for some reasons not avowed, to differ with the Platform on this point, although, in regard to other points, they are fond enough of referring to its authority. But if there were no such discrepancy, and this mode of leaving a Church were considered unexceptionable, what would the Council say of a person's withdrawing from that which has no existence?

We are now prepared to attend to several reasons more particularly considered by the Council, which, in their opinion, go to prove the want of power in a Church to disband itself.

1. It is "in direct violation of the most obvious and best estab-

lished principles and usages of the Congregational system." Under this head, after speaking of the duty of true believers to enter into a church-estate, and of the manner in which it is to be done by mutual covenant, they say,—"When an individual has come into such a covenant with a local Church, he cannot be thrown out of it by the Church, except for crime, but must remain in covenant with that local Church till received by another."

But we have seen, that this *can* be done in perfect consistency "with the obvious and best established usages of the Congregational system," which they say such a measure would violate. An individual can be thrown out, without any imputation of crime and without any wrong-doing on the part of the Church, thus leaving him with the world.

They ask, "What can be a more direct and absolute violation of these principles, in every respect, than by a single vote of the majority to dissolve this covenant and to throw *every* member of a *whole* Church into the world, with none who has a covenant right to watch over, admonish, exhort, or reprove them?" We reply, just as much as they have to "throw" *one* member out "into the world, with none who has a covenant right to watch over and reprove him." The principle is the same in both cases: if it is not violated by such treatment of *one* individual, it is no more violated, in case the individual were multiplied into hundreds.

The Council dwell on the fact, that the individuals in such a case have no *covenant* right to enter another Church; no *title* to church-privileges; that they have none to call them to account, if they do not seek to join other Churches, or if they fall into error and sin. Be it so. It is precisely the condition of the individual from whom we have supposed all the rest of the Church to have withdrawn and left solitary and alone,—yet without any infringement of the principles of our system. He has no covenant right to unite with another Church; he has lost his title to all church-privileges; and there is none to admonish him if he neglects to seek admission to other Churches, or falls into transgression. He has "entirely lost what the Platform specifies as one of the most important ends of church-fellowship,"—the keeping him in the way of God's commandments, and recovering him in case of wandering.

The stress of the argument under this head seems to rest on the extravagant notions, which the Council have of the rigidity of the covenant. The covenant made with God to perform his will, in their view, as we have seen, binds the person making it to a perpetual membership of some Church, without any intermission but that to which absolute physical necessity compels him; for, if they allow of any more latitude than this, then they yield the whole point. If they once admit, that there may be other reasons, such as we have specified above, for a temporary suspension of the obligation or the execution of the covenant stipulations, they admit a principle, which may be carried to an extent entirely subversive of the hypothesis. They must be compelled to allow, that a majority may dissolve this covenant, in the case of withdrawal from an individual who refuses to take letters of dismission, unless they abandon the Platform and the present well established

principles of Congregationalism, of which they consider themselves such faithful champions.

2. But, in the second place, the Council say,—"Thus to dissolve a Church by the vote of a majority, is an entire violation of the terms of mutual right, even if no covenant with God were involved." After referring to the opinions entertained of the sacred nature of secular compacts, and then asking whether the Church should sanction a lower standard of morality than the world, they say,—"Think for a moment of the facts of the case. By solemn mutual covenant they had been received into the Church, and declared *entitled* to its privileges. A fraternal watch over them had been pledged, and a mutual pledge received. What right then has one part of the Church, without the consent of the rest, to absolve themselves from obligations thus solemnly assumed? Much more, what right have they to arrogate the power of absolving others beside themselves from their mutual vows?" After comparing it to the assumption of power by the Pope, they say,—"It seems to us that a more direct and palpable violation of the laws of equity cannot be conceived." Again—they represent the Church as saying to the minor part,—'True, you are guilty of no disciplinable offence; we cannot directly cast you out; but a majority have concluded to break up this organization. You may go where you please, but in this Church you cannot stay.'—"Is it for a moment to be endured, that such acts as these shall be done unrebuked in the Church of God!" Other things are advanced of a similar character. These expressions are designed, doubtless, to be awfully imposing! They, however, better express the strength of the Council's feelings than support their position. Who would suppose, after reading these authoritative declarations, which remind us of what the Council say about papal assumption,—these piercing interrogations, which were probably expected to inflict so deep a wound,—that the articles of the Platform and the acknowledged principles of the present form of Congregationalism actually allow the perpetration of this terrible injustice?

"A Congregational Church," say the Council, "comes into existence by the personal covenant of every individual composing it with every other. How then can it be broken up and destroyed without the personal assent of all the covenanters? It exists by the personal covenant of each with each; it can cease to exist only when each releases each from that covenant." We are glad to have the Council so explicit. And yet it is a provision of Congregationalism, that nine members in a church of ten may vote to dismiss themselves to other Churches—unite with those Churches—without the consent, and against the earnest remonstrance of the tenth; and leave him alone with his covenant dissolved, his ecclesiastical ties all sundered, destitute of any church-privileges at all! It is now our turn to ask questions, and we shall use the language of the Result. We put the following tremendous and "most momentous" interrogations. "Shall a man who is guilty of no offence be told, 'the privileges of this organization, much as you value them and whatever sacrifices you have made for them, can be yours no longer? True you are guilty of no disciplinable offence. We cannot directly cast you out. But a majority of us have concluded to break up this organization; you may go where you please, but in this church you cannot stay.' Is it for a

moment to be endured that such acts as this shall be done unrebuked in the Church of God!" We answer, Certainly; this is in accordance with the provisions of the Platform and Congregational principles. It is perfectly just and equitable, unless persons who have the best of reasons for leaving a Church, and whose spiritual edification demands a union with other bodies, are to be tyrannically compelled to retain their connection, and that to gratify, in some cases, the perverted conscience and obstinate self-will of some recusant individual.

If the rights of a single person in such instances are not violated by such acts of the majority, neither would the rights of ten or twenty be violated, by leaving them in a similar condition.

3. Nor is this all. The Council proceed to say—"even if all the members of a Church were willing to release one another from their mutual vows and to throw one another back into an uncovenanted state, they have and can have no right before God to do it. It will be noticed, that we do not say, that all the members of a Church may not by mutual consent bring it to a close, by regularly passing from it into other Churches. In this way no one is thrown back into the world in an uncovenanted state, with none who has a right to watch over him." "Duty to God requires them not only to enter into church-estate but to *continue* in it;" that is, to make the expression any thing to the purpose, *without a moment's cessation.* Several quotations then follow; one from Cotton Mather's "Ratio" and others from two or three church-covenants, to support the position taken. In relation to these quotations, we have some remarks to make. We have endeavored to show, that a covenant made with God to conform to his will, from which may be derived the obligation of uniting in church-fellowship, does by no means imply that the obligation is to do this immediately, or to remain in a particular Church, without a moment's interruption, under all circumstances;—that a reasonable construction is to be given to it; and that such a conception, as the Council entertain of it, leads to extravagance and absurdity. The particular objects for which these extracts are presented, seem to be, to show that they contain sentiments in harmony with the views of the Council, and that, as they are declared to be fair exhibitions of the principles of Congregationalism, they are conclusive of the position which the Council undertake to establish. The extracts from the Tabernacle Church in Salem, from the First Church in Boston, and from the First Church in Charlestown, are to this effect,—that the covenanting individuals bind themselves to walk together in the particular Church of which they become members. The expressions imply no further obligation. Whether they shall be held to unite with any other Church hereafter, does not appear from any promises which they make in the compact; and whenever any circumstances arise, that make it proper for them to leave the Church with which they are originally associated, no obligation can result from any agreement which they enter into, to connect themselves with other Churches. For there is none such. The duty must be derived from some other source. These quotations are therefore nothing to the purpose. The Tabernacle Church are doubtless as competent judges as the Council, of the proper construction of their covenant; and they, as we presume, will admit of no such interpretation as has been imposed upon it. The covenant contained in the Ratio Disciplinæ, is of

a slightly different tenor. It acknowledges the everlasting obligation to glorify God, very particularly in the duties of church-estate. Supposing this to have reference to the duty of church-fellowship in general, as the words cannot be pressed to the strained and rigorous construction which the Council seem determined to put upon them, without exposing them to the charge of the manifest absurdities which have been alluded to, it is not necessary to discuss them further.

The Council have not given us the covenant of the Old South Church in Boston, but only a statement which follows the covenant, and which declares the obligations to rest on every one who has assumed them until death. Of course we do not know what the precise form of these obligations is. If like those forms which some other covenants contain, they prove nothing in relation to the points at issue. If like that which is found in the Ratio Disciplinæ, we refer our readers to the remarks made above in reference to it.

In the covenant of the Park Street Church, drawn up, it is said, by Dr. Griffin, there occurs this expression. "Hereafter you can never withdraw from the watch and communion of saints without a breach of covenant." If this expression stood disconnected with what follows, we should have no difficulty with it. But when we look at what follows, we should be surprised, if we had not already been prepared for almost any flagrant absurdity by what we had seen before, that the Council should venture on the quotation. A part of it is as follows, "Wherever you go, these vows will be upon you. They will follow you to the bar of God, and in whatever world you may be fixed, will abide upon you to eternity."

These extracts are given, be it remembered, to prove that Dr. Griffin and the Park Street Church understood the covenant to be of such a nature that the connection with some church-organization cannot be for a moment dissolved, except by death or excommunication. They certainly prove too much. They assert the covenant to be binding after death, in heaven and hell, and to all eternity! Do the Council suppose, that there will be local Churches in heaven, and watch and care and discipline such as we have on earth? Perhaps they do. We should not be surprised if some of them embraced this opinion. We do not however think that this was the sentiment of Dr. Griffin. He expected that men would exercise common sense, in interpreting his language and in the use which they made of it; that is, unless they should be so unfortunate as not to possess any of this valuable commodity. And if when writing these words it could have been revealed to him, that an ecclesiastical Council coming before the public with such pretentions, claming to have such insight into Congregational covenants, and such superior acquaintance with the ecclesiastical usages and principles of our fathers, should have committed the ludicrous blunder of quoting his words for such a purpose,—the solemn feeling with which he penned them would have been changed into mirth and amazement. When Dr. Griffin speaks of the unchangeable and eternal nature of these vows, his words must of course be taken with all the required modifications and restrictions. They cannot be interpreted literally, without exposing him to the charge of such extravagance and folly as we cannot impute to him. The moment we depart from a rigid construction, we are left, of course, to our own judgment

as to the latitude we shall give it. The Council are not authorized and infallible expounders of Dr. Griffin's meaning.

These remarks upon the quotations have been made, on the ground that the covenants from which they are taken, are in accordance with the general principles of Congregationalism. None of their framers had a commission to utter the voice of the Churches, and are, of course, of no authority whatever. We have seen, that there is quite a difference in their phraseology. We are willing to accept them as fair specimens of the uniformo-variant character of the covenants by which our local Churches are bound together, and submit them, with the remarks made upon them, to the consideration of our readers.

The Council proceed. "If then it is conceded and taught on all hands, that it is a part of our covenant with God that we come into covenant with a particular Church and continue in a church-state until death, how can a Church throw themselves out of such a state, without a breach of covenant with God? Even if it is done under color of an intent, as individuals, to join other Churches, still, to dissolve the covenant, and withdraw Christian watch before all are under the care of other Churches, is an unjustifiable mode of doing it. Covenanted duties forbid it. By doing it they throw themselves into a state in which they have no assurance that all will ever be brought back into a state of covenant again. It is on this ground that the Platform denied that the whole Church has a right to throw up her watch over even *one* of her members before he is safely received by another Church. This is not a mere positive rule, it is based upon the principles of eternal right. Much less then has a Church a right, even by unanimous consent, to throw up their watch over each other," &c.

We have seen, that *a Church has a right*, notwithstanding the positive assertions of the Council, to throw up her watch and care over one of her members in some cases, when there is no excommunication or transfer of relation; and that this is a consequence of the legitimate operation of provisions made by that very Platform which is said to deny it. The individual can be thus put into a state in which there is no assurance that he will ever be brought back into a state of covenant, and where there is a great probability to the contrary.

Besides, where all the members of a Church agree to give each other letters of dismission to other Churches, on condition that the Church from which they depart be considered as in existence until each individual is united with some other body—which the Council pronounce an authorized mode of extinguishing a Church—what, if one of the members after taking his letter should wait till he knew all the others to be united in other relations, and then choose to keep his letter in his pocket, and remain out of fellowship. How are the Church to prevent this? What certainty can they have in any case, that this may not be done? And what assurance have they, when they resort to such a measure, that some one of their number will not be put in a condition in which he never will be brought back into a state of covenant again? How do they know that some one will not be exposed to grievous wolves, that will come and tear and devour the lamb of the flock before he is gathered into any fold again? Is it right for a Church to expose "one of her members" to such an awful risk?

Suppose two or three, who designed to remove into places remote

from each other, should retain their letters. Although each might be considered as a member of the Church not extinct, yet living apart and never coming together, nor communicating with each other, and not being known as church-members in the remote places where they reside, and forgotten by the Churches in the vicinity of the place where they once resided,—they would cease to be a Church for all practical purposes, and be turned out into the world without any one to watch over or care for them.

It will perhaps be said, that in a part of our argument, hitherto, in favor of the disbanding power of a Church, we have supposed an extreme case; that of an individual refusing to take letters, and being left alone in an uncovenanted condition by the majority who vote themselves a dismission to other connections. Admitting it is, what then? Extreme cases are legitimately resorted to, in order to test principles. The question is, whether a majority can dissolve a Church. The Council positively deny that it can be done in any case. "It is on this ground," say the Council, "that the Platform denied that the whole Church has a right to throw up her watch over *even one of her members*, before he is safely received by another Church." And yet nothing can be plainer from this very Platform, and from the received principles of our Churches, than that this can be done in the case specified. The main grounds on which it is denied that the covenant can be dissolved, are, that it is a violation of the stipulations, inconsistent with the principles of natural right, and contrary to Congregational usage. Now these reasons apply just as really to one individual placed in the position above referred to, as to any number; and if they do not hold in respect to this individual, they are not valid, in respect to ten, or twenty, or fifty. The Council say, that no majority has a right to expel *a member* from the Church who has been guilty of no offence, nor to expel *any one* without trial or an opportunity of defence. They justly consider the rights of one individual as sacred as those of a hundred. If they admit, as we think they must, unless they abandon Congregationalism, that *one member may be excluded*, in the manner described, who has been guilty of no offence, and without trial or chance of defence, then, to be consistent, they must allow, that *the same measures may be taken with respect to an indefinite number.* The Council are very emphatic, and are careful to use language, which does not admit of contradiction or questioning. They say that no majority has a right to violate any principle of the universal law of *right.* We agree with them in full, that it is wrong to do wrong—that it is not right not to do right—and, as they admit that the principle is just as applicable to one individual as to numbers, *they concede all that we want* for the purposes of our argument.

We are now prepared to take another step in the argument. It has been seen, that the phraseology of the covenants which expresses the obligation of those who assume them to walk in fellowship with a particular Church, or more generally to live in a church-state, and also the perpetually binding nature of the vows taken, is strong and unqualified; so much so, that, with the exception of that formed by Dr. Griffin, it would not appear that there was any mode of becoming released from them. And yet we have seen, that there are methods of so doing, and especially, that for a release from the obligations to par-

ticular Churches there is a mode in most common practice among Congregationalists. And of course, it is understood, that, when a member enters a Church and binds himself by these most solemn and stringent engagements, *he does it conditionally*, with the understanding that the covenant may be annulled in the ways commonly known and generally pursued. The conditions so understood enter into the covenant and make a part of it; and therefore there is no violation of the compact, when a dissolution of the relation takes place.

Now it is a generally admitted principle, that, in all associations, political and religious, the majority governs in all the transactions of the concerns of those bodies, *except in cases where particular provision is made to the contrary.* We quote the following from Jefferson's Manual. "The voice of the majority decides. For the *lex majoris partis* is the law of all councils, elections, &c., where not otherwise expressly provided." In respect to this there will probably be no question.

We have seen, that it is a principle admitted into the Platform, that a majority may disband in a certain case, and practically unchurch an individual, and completely turn him out into the world, without any infringement of his rights, whether covenant or natural, or doing him any wrong whatever. We say that it is a principle admitted into the Platform, by the necessary and inevitable operation of the provisions of that instrument. It is a principle which belongs to the Congregational system, as that system is now understood.

Every one who enters the Church, therefore, enters it on the condition, that he may be expelled, or under the liability of being expelled from the Church, by a vote of those associated with him, giving themselves letters to other bodies; and unless he chooses to take a letter of dismission, may be left as completely without the privileges of covenanted Christian watch and care and of fellowship, as before his admission into any Christian organization. It is a condition on which he becomes a member, and a part of the compact into which he enters. No covenant, therefore, is violated when this is done. The majority in the use of their unrestricted powers may resort to this measure, when the occasion in their view justifies them in so doing.

So far there can be no question. And as the principle of thus dealing with a member is in the Congregational system and its covenants, and as no particular provision has been made for defining and restricting its operation to a single individual, it may be extended to more persons than one, when the majority think the reasons sufficient to justify them in the measure. Why not? If the application of the principle to one person inflicts on him no injury, why should its application to two or three or any number? If every member unites with the Church under this liability, and it is a part of the covenant which he makes, that he may be put into such a condition by the majority, does it make any difference to him, so far as his rights are concerned, whether others happen to be placed in the same predicament? This is in our view a sufficient reply to the reasoning contained in the second objection alleged by the Council, drawn from the nature of civil contracts. We maintain that no contract is violated by such a procedure on the part of the majority; and that all those solemn appeals about introducing a lower standard of morality into the Church than exists

in the world, rest upon no foundation. They have not produced on our minds the alarming impression which they were designed to create, and we leave them to pass for what they are worth, with all who are disposed to bestow upon the subject an impartial consideration.

Perhaps it may be argued by our opponents, that the application of the principle should not be extended beyond the single case specified; that, upon considering the provisions of the Platform in connection with each other, we must understand that the framers intended to leave the principle in the system, restricted as it would be to extreme instances, by the effect of the whole instrument; and, that it would be comparatively safe and harmless in its operation, because it would always require a majority consisting of all the members but one to disband a Church.

To this we reply, first,—that, if the Council will admit the introduction of the principle at all, they make a concession which overthrows all their earnest reasoning about the wrong and violence which a Church would perpetrate in any instance, by releasing itself from the watch and care of one of its members.

Secondly,—that as two or three would not make a much better Church for practical purposes than one, and that, as in those cases where there was no necessity for a Church, and no prospect of accession, it is wrong and against the views of standard Congregational writers, that such a Church should exist. The reason of the thing requires the principle to be extended, so as to allow a Church to disband when they are under such circumstances,—as many as three constituting an opposing minority. In fact, just so far as these few members are incapable of performing the functions of a Church, the principle does of necessity extend itself, when all the rest exercise their undoubted right of withdrawing, and connecting themselves with other Christian societies.

Thirdly,—it does not appear, that the framers of the Platform had the subject so distinctly before their minds as to lead them in any of their regulations to have any special reference, direct or indirect, to this matter. Their Platform states, that, "a Church cannot make a member no member except by excommunication,"—without any qualification, and without providing for cases where the declaration comes in collision with other articles. And the allegation, that *one member cannot make a Church*, is found in such connection as to furnish us evidence, that they particularly intended it as an exception to the provisions which relate to the dismission of members, and the conflict between these provisions was, at the time, present to their contemplations. The principle comes or is let into the Platform, without any thing which appears particularly designed to modify or limit it; and so of course must be left, subject to the regulation and application of the majority, according to the exercise of their best judgment, instructed and guided by the word of God and the spirit of Congregationalism.

Now it being established, that the majority are to govern in all cases where no restraint is imposed upon them, and that under this condition they are to apply the principles of the Congregational system in all those cases, to which they think they fairly extend,—every person who unites with the Church is admitted with this understanding. And *it*

is a part of his covenant, that he is to be subject to the will of the majority thus explained, and also, according to the views we have taken, that he is liable to have his connection with the Church dissolved, by a vote of the major part to disband, when they think that there are justifiable reasons for such a course.

It adds to the force of our argument, that this is the view taken by persons of great respectability not connected with the Essex South Conference, and whom, if their names were mentioned, the Council, we should hope, would not be very ready to tax with a want of familiarity with the principles of our fathers. The Council are pleased to denominate the position which we have undertaken to defend, a "*new theory*," a "*new doctrine!*" We have only to retort with some variation, the language employed in the "Congregationalist." If they had been more familiar with the history of the New England Churches, they would have known that it is not new, but that there have been quite a number of instances of the disbanding of Churches by acts of the majority, previous to that of the Howard Street; and that the usage, taking into view the fact that it is only in a few extreme cases that such a measure as dissolution could be thought expedient or necessary, is decidedly in favor of our doctrine. This usage helps us to interpret Congregational covenants. Usage gives construction to them, just as former acts of legislation under the provisions of a political constitution are appealed to, that we may fix the construction of some parts, about which there has arisen a diversity of opinion.

In order not to be misunderstood, and to correct the misstatement of our position by the Council, we here say, that we do not maintain that a Church has the right, by a mere majority of the brethren who happen to be present at a particular meeting, to declare the covenant dissolved. Our principle is, that the meeting should be properly notified, the subject plainly presented and discussed, and the vote justly taken. We contend for no hasty measures, no taking of undue advantage, no deception, nor any thing which is inconsistent with the principles of the Gospel, and the most deliberate and just expression of the opinions of the Church. In regard to this point, we feel that we have been most inexcusably misrepresented.

And now when the Council "earnestly ask, when and where has the great Lawgiver and Head of the Church given the right to a mere majority of the brethren of the Church to declare their covenant dissolved throughout the whole Church," &c.—we have only to say, that if they ask for express permission in so many words, we find it just "when and where" they find *the prohibition* so to do! If they will show us the chapter and verse where this is interdicted, we will point to the passage where the allowance is given. If, however, they intend this form of interrogatory only as a rhetorical flourish;—if they merely design to ask in sounding phraseology the simple question, what authority the majority of a Church has to disband, we refer them to the principles of the Word of God, of Congregationalism, and common sense.

4. As one of their reasons against our views of this subject, the Council point us to the dangerous consequences to which they lead. "Admit," say they, "the right of a Church thus to disband itself by the vote of a majority, for the sake of getting rid of 'embarrassing mem-

bers,' and what minority in a time of division and excitement would be safe? One or two bold and daring men might be very embarrassing to a backsliding and worldly-minded majority. Some influential person who fears discipline, may regard those who desire to bring his case up as very embarrassing elements in the Church. Nothing now remains to be done but to watch his opportunity, rally his forces, gain a majority and vote to dissolve the Church and form a new organization," &c.

Now we have to say in answer to this, that the power which the Council must concede to the majority, is capable of great abuse. Just consider what power they possess. They have a right to elect and dismiss a pastor,—to change the creed,—to determine and apply the rules of discipline,—to inflict excommunication. Is there no danger? Is there no danger of the misuse of such power? If Churches had the unrestricted choice of the pastor as they once had, and as they still have in some cases, might not a wrong-minded and unsound majority impose an unfaithful and heretical pastor on the minority? And considering the influence which the Church now has, restricted as she is, in her full action as to the choice of the pastor, by her connection with another body, yet taking the lead in the settlement of the ministry, and directing to a great extent, the feelings and action of the association with which she is united,—who does not see that it is practicable for a majority with lax views, greatly to injure a faithful and pious few in the same Church, by the selection of a preacher who entertains fundamentally erroneous opinions of the Gospel, and whose influence shall be against vital religion? Cannot the degenerate majority of a Church so administer the rules of discipline, as to exclude all of those, the purity of whose lives and the fidelity of whose reproofs cause them great annoyance? Cannot a Church become so corrupt and so improperly manage its affairs, as to defeat the very end of its organization, and render it even worse than useless? The Council themselves admit this, so far as discipline is concerned. They say that "any other discipline than Christian discipline is a thousand times worse than no discipline." And on the same principle, the majority may be so defective and erroneous in their whole character and action, as to become worse than useless,—a mere nuisance to the minority and the community. *Why should not the majority be deprived of all power, as well as the power of disbanding;* seeing that it is capable of such abuse and may become such a formidable engine of mischief and oppression?

We wish to direct the attention of our readers to one or two expressions of the Council, which unfairly change the state of the question. "Nothing now remains to be done but to watch his opportunity, rally his forces, gain a majority," &c. Just as if we contended that the rules of the Church should be such, as not to forbid some of its unprincipled members, to take an undue advantage of some favorable occasion for which they have been watching, when a majority of persons of their own character happened to be present, and thus to effect their iniquitous purposes. We have protested against this unfairness before, and now repeat, that all Churches should have such regulations, as to prevent hasty action, and protect themselves from the conspiracy of those, who might be disposed to avail themselves of a temporary majority to accomplish some nefarious object. If it should be replied, that all precautionary rules of this sort might be disregarded and tram-

pled under foot, in times of great commotion and strife,—we have only to say, that those who would be guilty of such flagrant misconduct in these respects, would be just as likely to despise all the regulations of the Church, whatever they might be; and it would be just as easy for them to watch their opportunity, rally their forces and gain a majority *to excommunicate the faithful members* who annoyed them, as to get rid of them by disbanding and reorganizing. We conceive, that the arguments which the Council have employed against the power which we advocate, arguments drawn from its liability to abuse, are weapons which can with equal facility be turned against themselves; since they are quite as strong against the public perversion of such authority, as by their own acknowledgment the Church possesses.

5. The Council further object to our principle, that it leads its advocates to such unjustifiable modes of defending it. They say that it obliges them "to depreciate the necessity and importance of particular Church covenants, or of being in connection with any local Church at all." We know not to what the Council refer in these remarks. While we are glad to have it in our power to say, that there are a good number of the members of the Essex South Conference, who are free from the extravagant notions of the covenant which the Council express; and while we earnestly hope that they will always preserve their balance of mind, sufficiently to keep them from running into such strange conceits,—we utterly deny the charge of the Council, and feel ourselves aggrieved by their unjust imputation.

The arguments by which the Council undertake to sustain the charge are as follows.

> The community has, therefore, been told by leading ministers, in public arguments on this subject, before the pastors and delegates of a Conference of Churches and the attendant assembly, that the Bible no where expressly requires a covenant of the members of a Church to walk together in the same church as essential to salvation or the church-state, and that there is no certain evidence that the apostolic Churches were so constituted by a formal mutual covenant among their members, as to make a dissolution inconsistent with church-order or the Christian profession. Their covenant, it is intimated, was only with the great Head of the Church; they were held together by inward ties; and they worshipped together or apart as the occasion required. Of the same nature is the theory to which they resort of a membership in a general or Catholic Church, which still continues after a particular Church is disbanded. In consequence of this, they tell us, the members of a disbanded Church are not unchurched, nor deprived of any of their church rights and privileges.

In this quotation there are some things probably true, and some things misstated. Individuals may have said, that "the Bible no where expressly requires a covenant of the members of a Church to walk together in the same Church, as essential either to salvation or a church-estate, and that there is no certain evidence that the apostolic Churches were so constituted by a formal mutual covenant among their members, as to make a dissolution inconsistent with church-order." And if they did say this, *they said what is true;* and what implies no more depreciation of church-covenants than the incontrovertible truth itself implies. And if the Council see fit to quarrel with the truth,—let them settle the controversy with Him who is the source of all truth!

But that any members of the Conference said or intimated, that the covenant was *only* with the great Head of the Church, and that "they worshipped together or apart as the case required," *is not true* without very material explanation and modification. Neither is it true, that they said, that those who had been excluded from a particular Church by its dissolution were not "deprived of ANY of their church rights and privileges." Some of the individuals connected with the Conference believe with Dr. Dwight and others, that baptism introduces the subject of it into the Church general. How far this opinion prevails, we do not know. It was natural for those who had embraced these views to make use of them, in defending the position, which they had taken against their assailants. But that they avowed, or seemed to think this general church-membership to be almost or quite equal to that in any particular Church is not true. Nor is it true, that they hold any opinions which lead them to undervalue the necessity and importance of local organization. Dr. Dwight's opinions in respect to general church-membership were not at all inconsistent with his having a sufficiently high appreciation of the value of local church-covenants. His opinions on this subject are quite as much entitled to respect, as those of any one of the Council, or of their united opinions combined in the Result which they have given to the public.

The Council say, that they could easily show that all the above sentiments imputed to the defenders of the disbanding power are utterly unsound; and so they have thought that they could do some other things, which nevertheless they have not been able to accomplish. But they do not undertake to perform that which, as they allege, it is easy for them to do, because, as they intimate, it does not touch the real question in controversy. But they bring the sentiments to the test of Congregational usages and principles. They say that these conflict with the Congregational system, as exhibited by our principal writers, and that the Cambridge Platform teaches a different doctrine. Two of the questions to be tried are—first, whether in the opinion of Congregationalists the Bible expressly requires a covenant of the members of a Church to walk together in the same Church, as essential to a church-state; and secondly, whether the apostolic Churches were so constituted by a formal mutual covenant among their members, as to make a dissolution inconsistent with church-order or their Christian profession?

We will now quote a part of the fourth section of the fourth chapter of the Cambridge Platform. "This voluntary agreement, consent, or covenant—although the more express and plain it is, the more fully it puts us in mind of our mutual duty and stirreth us up to it—yet we conceive the substance of it is kept, where there is a real agreement and consent of a company of faithful persons to meet constantly in one congregation for the public worship of God and their mutual edification; which real agreement and consent they do express by their constant practice in coming together for the public worship of God and by their religious subjection unto the ordinances of God there; the rather, if we do consider how scripture covenants have been entered into, not only expressly by word of mouth, but by sacrifice, by hand-writing and seal; and also sometimes by silent consent, without any writing or expression of words at all." It was plainly the opinion

of the framers of the Platform, that it is not essential to the existence of a Church, that there should be any express, formal or written covenant. Silent consent without any writing or expression of words at all is sufficient. This is doubtless, precisely the opinion of those who are referred to in the Result of Council. They did not deny, that Christians should be united together in church-organization; but they denied that the precepts of Scripture or apostolic practice required, that the covenant which binds them should be express or formal, or a written instrument with all its precise and stringent phraseology. And this is evidently the opinion of the framers of the Platform; for, they would not have admitted for a moment, that a silent and implied covenant would be sufficient, if the Scriptures, in their view, *required a formal and expressed one*. Sometimes the omission or variation of a word, in pretending to quote the avowed opinions of others, will produce serious misrepresentation. The "leading ministers" whose opinions are quoted, not only asserted that the Scriptures no where expressly require a covenant, but that they no where required an *express* covenant. The stress of their declaration rests on this word. It is true, as we have before asserted, that the Bible does not expressly require any covenant; but this was not the whole truth which was asserted, nor the thing particularly intended. The word or a form of the word *express*, as it was inserted but once in the quoted declaration, is put by the Council in the wrong place, and varies the point and force of the sentiment.

The object of those who made such declarations was, to meet those high notions of the indissoluble nature of the covenant, which their opposers held in common with the Council; and not at all, as the Council represent, to deny that the apostolic Churches were held together by a mutual compact of some kind, or that such compact is not necessary to a church-condition. We have seen that such an informal, implied and silent covenant as they suppose, would be perfectly Congregational, according to the views of the authors of the Platform, if the Churches choose it, in preference to one of a different character. And this the members of the Conference quite naturally supposed went to show, that the fathers of our system did not cherish those over-strained notions of the rigid nature of the covenant, which have been so confidently imputed to them. We have no particular concern here with the pertinence or force of the argument. Those who made use of it are abundantly competent to defend themselves; but for the Council to infer, that those who employed it have a less high esteem of the necessity and value of church-covenants, or to suppose that all those, who cannot go with them to the same evtravagant lengths, hold a covenant in low estimation,—is like the Romanist charging the Protestant with undervaluing the rite of baptism, because he does not unscripturally and superstitiously suppose, that that ceremony itself, by its inherent virtue, conveys grace to the soul.

With respect to the array of authorities produced by the Council to show, that Congregationalism does not admit of the idea of a universal Catholic Church, independent of its embodiment in particular assemblies, we have only to add,—that we rest no part of our argument on the opinions which they attempt to explode.

The Council, as we have seen, express alarm at the dreadfully dangerous tendency of our principles. We have already made some remarks on that point. They further say, that these theories of the defenders of the church-dissolving power, tend directly to lead the community to believe, that it is of very little consequence whether they are members of a particular Church or not, or are in covenant or not, and thus to aim a blow at the very vitals of our Churches, and utterly dissolve the bonds of the whole system.—Now we think we have shown, that these theories are a part of the principles of Congregationalism, and if they tend to such fearful results, the Council who profess to be such faithful adherents to the system had better revise their opinions on the subject of church-polity. What do they propose to do with those provisions of our system, which allow a majority by withdrawal to other Churches to dissolve their covenant with one of their associates, when charged with no offence, and release themselves from their watch and care, and turn him adrift on the "cold world"—which the Council insist cannot be done, without a glaring infringement of Congregational principles and a flagrant violation of the most solemn obligations? What will they do with the provision, which allows *two* to be treated in this manner, who are almost as incapable of performing the functions of a Church as one? The Council either admit these consequences from the principles of our system or they do not. If they do not admit them, then let them no longer assume to be such valiant expounders and defenders of Congregationalism. If they do admit them, then let them hold their peace about the pernicious tendency of our theories, and learn their punctuation table better, than to apply their interrogation and exclamation points exclusively to us, when they are quite as much wanted at home.

6. The Council, after establishing what they confidently suppose to be the fundamental principles and usages of Congregationalism, in opposition to the views of the Tabernacle Church and those who coincide with them, and then expressing their "undissembled wonder and astonishment" at the "phenomenon," as they call it, which is presented of persons "claiming to be inspired by a reverence" for these principles, and then "engaging with all their might in the work of destroying them," proceed to account for the wonder. They profess to have arrived at the solution. Timid and superstitious persons see wonderful objects in the dark, and imagine the most astonishing and awful spectres in those very things, which excite no uneasiness and apprehension in the daylight. Some persons who seem to "see ghosts in trees and rocks," reason down their imaginations, and resolve the awful phenomena into familiar objects, whose outlines are imperfectly discerned by the eye. The Council seem to belong to that class of persons, who, instead of endeavoring to persuade themselves that there is no ghost, most devoutly believe in the spectre and undertake to show why it has appeared to them! They account for the phenomenon in the following manner. "Whenever good and intelligent men go thus far astray, it is not commonly under the influence of absolute error, but of some important truth, either partially apprehended, or applied out of its proper sphere. So in the present case, the advocates of these new doctrines profess, and we do not doubt with sincer-

ity, to be swayed by a supreme regard to the great principle that, in a Congregational Church, it is the right of the majority to administer the government according to their will.—But all who attempt to defend the proceedings in question by this principle, err in both the particulars above specified. In the first place they do but partially apprehend the principle to which they appeal, and, in the second place, they apply it out of its sphere."

In regard to the first alleged error they say, that "although the power of government undeniably resides in the majority, yet they can exercise that power only within given limits, and in accordance with certain fixed principles." To what is said on this point we in general accede. We agree that there are moral rules within which a majority should govern their proceedings; and that most commonly there are, and always ought to be, regulations to restrain and guide their action, and to prevent their becoming despotic and oppressive in the exercise of their authority. We however do not believe, that any act of a majority *is necessarily invalid*, because it is morally wrong; and we think that the Council commit a great mistake, and show a great want of discrimination in regard to the principle, which they lay down without any qualification,—that, whenever the majority of a Church comes to an erroneous conclusion in the management of its affairs, the act is of course null and void. We cannot, therefore, receive the reasoning on this topic without some modification.

But when the Council assert, that we do but partially apprehend the right of the majority to govern, because, as they imply, we admit no restrictions upon this right, they say what has no foundation at all. We admit the principle of limitation to the will of majorities as really as they do; but we have contended that the majority are not prohibited from disbanding Churches by the nature of Congregational covenants or any of the principles of our ecclesiastical system. We have shown, that the dissolution of Churches, in this manner, in certain cases, is the inevitable result of the operation of the provisions of the Platform and the acknowledged principles of our church-polity; that the principle of right in the majority to govern is in the system; that it must be there; that no received provisions have been made to restrict its operation to particular cases; and that, therefore, the majority have an ecclesiastical right to apply their power to all those cases, to which in the exercise of their discretion it properly extends. The Church may *improperly* exercise this power; and so they may *all other powers* which they possess. But the question is, do they possess this power at all? The Council contend, that it does not exist in any form or degree; and that it can never be exercised in any manner, without a most palpable violation of the rights of church members, and the principles of Congregationalism. We think that the Council have but a partial apprehension of the principle which they undertake to discuss, and they have utterly failed of showing that any law of God, any covenant or natural right, any principle or usage of our system, is inconsistent with the right of a majority to disband a Church, where it has ceased in a great measure to answer the ends for which it was organized. It is not necessary to repeat in this place the course of reasoning which we have pursued on this subject.

7. The Council further say :—

But even if it were possible to admit the idea that a bare majority could disband the Church against the wishes and protest of a minority, still in this case the facts are such as to show that it has not been regularly and properly done. Much weight has been attached to the fact that a Council advised the dissolution. But in reply to this it should be said, that the question was never properly brought before a Council. There was no vote of the Church to submit such a question to a Council. No one even pretends that such was the fact when the Church decided to call the Council. They voted to call a Council solely for the dismission of their pastor, Rev. Mr. Mann, and appointed a Committee to prepare and send out the letters missive. That Committee, unauthorized by the Church, and on their own responsibility solely, inserted the clause, "and to advise them on other difficulties." The Church, therefore, did not call the Council to advise on this matter, and no opposition was made to calling the particular Council which met, because it was supposed that they would act solely with reference to the dismission of the pastor. Of this the Council were informed. It was therefore out of order for them to recommend a dissolution of the Church, and their advice ought to have no weight.

Suppose now, it should be admitted, that, in a technical or strictly parliamentary sense, it may have been "out of order" for the brethren who dismissed Rev. Mr. Mann, "to recommend" as they did "a dissolution of the Church." Would it follow that "*their advice ought to have no weight?*" We have supposed, that, both in respect to individuals and to associations of individuals, very good and the very best advice may be given, by those who have the opportunity or the occasion, although such advice may be neither requested nor desired. And we do not see how the *desire* or the *request*, in any case, can of itself determine the quality or value of the advice, which may be given.

The presumption may be, that when advice is sought, more of careful consideration is likely to be bestowed upon the case submitted. But if there be evidence, that those who give advice, have particularly attended to the subject, or were entirely familiar with all the essential facts and principles involved, then may their advice be as judicious and seasonable and important,—as if it had been asked with the greatest formality and importunity. And it may be sheer impertinence or gross discourtesy to treat it, as our brethren in the Result before us, seem too plainly disposed to treat the "recommendation" above-mentioned.

But we must now say, that the whole statement, which this Council have adopted, and sanctioned, in reference to this part of the Howard Street case, is evasion and prevarication, at the very best. What are the facts? In February, 1847, a Mutual Council assembled to consider the expediency of dissolving the pastoral relation of Rev. Joel Mann. It was well understood, that serious difficulties existed; and for local reasons, the Tabernacle and South Churches in Salem declined taking part in the Council. Those who did attend, however, were all from the immediate neighborhood. None others were invited. And we believe, that it would be impossible to convene a more candid, impartial body of ministers and laymen, who, at the same time, had a general, and, in the circumstances, very necessary acquaintance, with the history of Howard Street Church, and with the ecclesiastical affairs of Salem and vicinity.

Two parties appeared before the Council; while a portion of the Church belonged to neither. A very decided majority were opposed to the proceedings of those few individuals, who were resolved, at all hazards, to compel the pastor to take a dismission. And it is but justice here to say, that no one of his predecessors had secured a more general respect in Salem, as a Christian and a gentleman, or is now believed to have exerted a happier influence.

The house of worship had recently been repaired, and rendered more attractive, at an expense of $3,000;—of which about a sixth part was subscribed by the minority, from whom so much was then heard, and by whom so much has since been said and done. This expense was borne chiefly by a few individuals with a hope, that, from the increase of population, particularly in South Salem, the Society might be greatly enlarged. And those who sustained by far the heaviest part of this outlay upon the house of worship, were ready to make still greater efforts and sacrifices, if the minority opposed to Mr. Mann, would quietly retire, or would entirely cease from their violence of opposition. Still it was the conviction of the most, that the prosperity of the Church was, in any event, extremely doubtful. And in the judgment of many, not connected with the Church or Society, it would have been wholly impracticable for the majority, if not also for all together, to have much longer supported the organization at Howard Street, with any reasonable warrant to anticipate an effectual deliverance from existing embarrassments and discouragements.

There has never been the time when a minister *has been, or could be supported*, by a tax on the pews of the house of worship in Howard Street, as has been done in other congregations in Salem. The Society there was far the strongest and most flourishing, during the ministry of the Rev. Mr. Williams, and just before the secession which led to the formation of the Church in Crombie Street, in 1832. But his very moderate salary could never be obtained promptly. A few individuals were always obliged to make extra contributions to sustain the worship of God and the ordinances of the Gospel, in that house of worship in Howard Street. And what was the prospect before the Society, at the time of the Mutual Council, in February, 1847, may be inferred from the fact, that the avails of taxation on the pews of the house were only about $400.

The minority would make no terms whatever, which included the continuance of Mr. Mann, at Howard Street. They would neither retire, nor would they remain content, leaving him in his place. They thought, as some of them informed the Council, that, if the majority should retire, the minority, aided by friends in Salem and Boston, might be able to sustain a pastor, who should be the right kind of man for the place and the times!!

Two days were spent in hearing the statements of all persons, who wished to be heard. The utmost latitude of remark was allowed. No restriction was laid upon any one, which could possibly hinder a disclosure or presentation of any important fact, in its true coloring and its legitimate bearings. Dr. Cooke was the moderator; and at the close of the meeting of the Council, thanks for his impartiality and indulgence were spontaneously and warmly presented to him, by some of the most active and resolute of the minority. And this should have

been remembered by those, who have since pursued him with such virulence of vituperation and invective.*

Then it was, that the real extremity of the affairs at Howard Street was freely and fully disclosed. It was admitted by all, that there was little reason to expect any better state of things if the pastor should not be dismissed;—and whether any better state of things would follow his dismission was as intricate a problem, as any Council would wish to be called to solve. And here let it be noted by any, who, prejudiced or unprejudiced, are willing to know the truth,—that the whole subject of difficulties in the Howard Street Church was most thoroughly examined. Unless an investigation could be had, as in a question before a legal tribunal, where witnesses should testify under oath, there could never be a better opportunity afforded of reaching the absolute merits of a controversy, than that which was presented to the Council, which was called to decide upon the expediency of the dismission of Mr. Mann. And as the investigation was really conducted, the minority may be challenged to name a single fact or circumstance, which would be of any weight in the premises, and which was not in some way made known or implied, during the protracted and unrestricted deliberations of the first Mutual Council,—that of February 7, 1847.

Beside spending two days, and no small part of a night, in laborious attention to the difficulties at Howard Street, this Council convened again, after an adjournment, and spent a portion of another day. It was during this adjournment, that the conclusion was forced upon the mind of the Moderator, that the best method of disposing of those difficulties might be to disband the Church, as well as to dismiss the pastor. The suggestion was therefore made, accompanied by a written argument, at the adjourned meeting, in private session. But no vote was taken upon the point, nor did it occupy much of the time of the Council.

When the Council, in private session, took an informal expression of opinion, it appeared that the major part were inclined to vote for the dismission of the pastor. "But," as some of themselves have related,

After deliberation it was found, that this naked question could not be settled separately from its adjuncts. It was seen that Mr. Mann's dismission, on the ground of a necessity so created, would give an unreasonable advantage to his opponents, without leaving the Church in any better condition—would add another to the numerous examples of the power of small minorities to drive out a minister without good cause. Hence, though his interests required a dismission, and though the prospect of good to the Church in any issue appeared to be small, the Council thought best not to sanction the dismission, but to apply to the minority a practical test, and to throw on them the responsibility of standing before the world, after a thorough showing of the facts, the sole cause of the expected dismission, and the sole hinderance to the life of the Church. It was thought at least, that the public influence would be better, if dismission should have its date after the

* Have not the late Council given their sanction to personal abuse, which has been inflicted upon him, as if not only "the originator and advocate of new doctrines," but as if his connection with the affairs of Howard Street had really been unprincipled and malignant? It so appears to us.

pastor's opponents had had an opportunity to act on the declared willingness of the majority to support him. This seemed the more desirable, since more than three-fourths* of the ability to support the pastor were with the majority, and since they had made the most sacrifices to sustain the Church. It was thought that if after time had been given, to see how the minority would act in the case, they still persisted, the dismission would, in the public eye, rest upon its true grounds. The delay was prompted, in other words, by a desire to see if some way would not open for the peace of the Church, by a peaceful retiring of the hostile party. Accordingly the Council concluded their Result, by exhorting them "to study the things that make for peace."†

But the minority became still more unyielding. Every week only added to the evidence of the entire hopelessness of any union between them and the majority, upon any such conditions as the latter could consistently adopt. Hence another Mutual Council, consisting of Churches, *all of which had been members of the Council in February*, was convened in April. To all intents and purposes, this second Council were the same as if the first had met by adjournment. They ought to be regarded and identified, in every respect but in name, as the same Council. Incomparably more should they be so regarded, than the late Ex parte Council, at the meeting of December 18th, should be considered the same Council as met December 4th. And if all the Churches of the first Council had been assembled in the second, there is not the least reason to suppose, that there would have been any different Result.

The Letter Missive proposed the dismission of Mr. Mann, and asked advice to the Church. By a mere oversight, the Church *did not pass an express vote*, in regard to advice. The Committee appointed to prepare the Letter Missive, felt the importance of advice, and had conference with the pastor on the subject, and the conclusion unhesitatingly was, that they were authorized by usage, or a common understanding in such cases, to insert a specific request for advice. This accordingly they did, and without the least intention or imagination of exceeding their powers, or encroaching upon any one's rights. Beyond a question, if the Committee had delayed the issue of the Letters Missive, until a vote upon the point could have been taken in the Church, a vote for precisely such a letter as was prepared, would have been carried by an overwhelming majority.

When the Council came together, some slight objection was raised by a member or two of the minority, on the ground that the Committee had exceeded their instructions. But so little was said upon the point, that four or five out of six of the clerical members of the Council were afterwards wholly at a loss, in determining, not only what was actually said, but whether any thing at all was said, which could have engaged the distinct attention of the Council. We suppose the same to be true of the delegates. Certain it is, that the objection in question had no prominence whatever before the body,— notwithstanding what would be inferred from the unqualified, vehement, and many times reiterated declarations, which have

* The amount was here very much underrated.
† Congregationalist, Dec. 7, 1849.

since been made by individuals of the minority and by those in their interest.*

The business of the Council was delayed by it a few minutes only, at the farthest. The Church never disowned the doings of the Committee. On the contrary, earnest desires were expressed, that the Council should give advice, according to their best judgment, in view of the deplorable state of alienation. And it never entered the mind of any one of the Council, that they would be "travelling out of the record," or be taking cognizance of matters foreign to their commission, if they should give the advice which they did. It seems to us, therefore, neither accordant with truth, nor with Christian fairness, to state as so often has been stated, that this second Mutual Council had no right to attend to any other business, than simply to dismiss the Rev. Joel Mann.

With a "full history of the other Council in mind, this Second Council began their hearing of facts." And for any one to say, that this Council *had not the facts* before them—*all the facts* necessary to be known—can be explained only by an inexcusable ignorance of their proceedings, or by the allowance of a species of fiction, in which Christian men cannot honorably indulge.

There were no new facts to be investigated, except in regard to the course which had been taken by the parties, since the members of Council, in the February previous, heard all their details of the difficulties between individuals of the Church, and between individuals and the pastor. Those difficulties began several years before. But as brought before the Council they were specially connected with a conflict or strife between members of the minority and of the majority, respecting an alleged omission of the pastor to do what it was said that he had pledged himself to do, at the time when Mr. Lovejoy was desired by some of the minority to repeat, at Howard Street, his funeral eulogy upon Mr Torrey. If any indiscretions or mistakes had been committed, by the pastor or his personal friends, which we think should be acknowledged, there was yet evidence most palpable, that both the pastor and his friends had received much "provocation," beside that which leads "to love and good works." And, in general, the proceedings of members of the minority admit of no justification or excuse, even if they had been entirely in the right—as we cannot concede that they were—at the beginning of the conflict. But whatever might have been the origin of the existing state of dissension—whatever occurrences or influences had aggravated or complicated the points in controversy,—the Church as a body appeared to the Council in the condition of a patient, whose physician finds him in a most critical or fatal extremity; and who must administer to *the disease as*

* It was remarked by the Moderator, that it was competent for the Council to give advice to a Church, if they saw fit, even though the Letter Missive had not specifically requested it. Some time afterwards, when, at successive meetings of the Conference, he was charged, not very courteously, with having said, "*that it made no sort of difference, whether advice was asked or not*,"—he twice repelled the charge, by an emphatic denial. He understood the speaker as reporting him to have said, or to have implied, that it was not necessary in calling a Council to specify the business of the Council; and besides, he had entirely forgotten what he *did* say upon the competency of a Council, in regard to advice.

it now is, whether the patient is, or is not, chargeable with any known imprudence or criminality in the management of his health.

We make these statements and comments thus freely and ingenuously; for our aim is, not to write a single line, which is suited to convey an impression against the real truth of facts. And we are not conscious of the slightest wish or temptation to conceal any thing, for the sake of more effectually vindicating either the advice of the Council to disband the Howard Street Church, or the dissolving act by the majority.*

It is most important also to consider, that the difficulties of the Church had not been out of mind, in the intervening period between the two Councils; but divers circumstances had led some of the members in particular, to ponder with much solicitude the questions of expediency and of duty which had been suggested. And if the brethren associated in that Council could not be trusted to give advice, on any subject whatever, pertaining to our ecclesiastical order, there has yet been no *Ex parte Council, and never can be*, whose members can claim any title to be trusted, in a revision of their proceedings.

The minority were present in full strength and fearlessness, to urge their measures and pretensions. They were as "swift" to "speak" as "slow" to "hear." They fought for their positions as if the brethren on the other side were personal enemies, with whom there never could be peace. There was excitement among the majority; and, with all the effort which was used to let "moderation be known," it was now more than ever made manifest, that the two parties, which so confronted each other, could not be reconciled, so as to be "brethren beloved," without a marvellous change.

"Can you not be reconciled and go on together in harmony," was in substance the question put to the foremost speaker of the minority. The prompt and vehement answer was "No. *Unless there should be a miracle from heaven!*" And, "No," was the answer of the same individual to the question, "Whether in any case the minority would leave?" "What if the majority should say the same?" "*We will stay and burn out, as we have done, for the last nine months!*" May "the spirit of Christ" save other Churches from the fanaticism—the "DEVOURING FIRE" of abolitionism!

Both parties agreed, that their covenant had been violated,† and that proper discipline, under present and prospective circumstances, was wholly impracticable. It was not that the majority were averse to the discharge of duty, in this respect; but because of the various difficulties which were liable to be encountered, and

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* Any more minute particulars, we think, it would not be proper to give. From what we have now stated, our readers may perceive, that the difficulties were of that lamentable character, in which crimination and recrimination are most abundant; and in regard to which the friends of either party are liable to be misled and unintentionally to deceive themselves and others. And that the public have need to know nothing of the details upon this part of the subject, appears to have been the judgment even of the late Ex parte Council. We coincide in opinion.

† "You also engage to walk in communion with this Church so long as you continue a member of it, and * * ☞ by walking in love with all its members, avoiding divisions, strife, envyings, and every occasion of offence; doing all things without murmuring and disputing, exercising towards its members a spirit of meekness, forgiveness and faithfulness," &c.

of the consequent unwillingness of some to go forward with a complaint, or to witness the painful scenes, which they could not but anticipate. These remarks should suffice for a reply to various self-complacent insinuations and imputations of the late Council, in regard to this point. The matter-of-fact is indisputable. And if there was an apparent inconsistency or impropriety, in the advice of the Mutual Council to provide for a regular transfer of membership *for all*, or in the action of the majority agreeably to such advice, is it not possible for a man of candor to find some satisfactory explanation?

After attending to every point, which could be of the smallest advantage for a just and wise decision, the Mutual Council closed their painful work by a Result,—first, dismissing the pastor, and secondly, advising the Church to disband. For ourselves, we think that it "*was in order* for them to recommend a dissolution of the Church," and that "their advice ought to have" had "WEIGHT"!

Of the various allegations of the Result, in respect to the Mutual Council which advised the Howard Street Church to dissolve, we shall not speak as we might. It is said, for instance, that "the thing which the Council deemed expedient, was in some way to get rid of this Church as it was then organized, in order that a new one might be organized in its place, in which a portion of the materials should be better and the whole Church be better put together. All this the Council expressly avow." (Result, p. 18.)

Now we undertake to say, that the Council do NOT "*expressly avow all this;*" and further that, the Council *never had a thought* of "a new organization" of members of Howard Street Church, to occupy that place of worship. From some things which were known to members of the Council, in regard to the increase of population in South Salem, and the opinions which were entertained by some members of Howard Street Church, in common with members of other Churches, it was thought to be very probable, that a new Congregational Church might, at some time not very remote, be deemed expedient, and be located in that part of the city, or in some place where a house of worship would have advantages over any one which now exists. It was also thought, that, perhaps, the Methodist Society in Union Street would purchase the Howard Street meeting-house.* If not, there might be, in a few years, some unforeseen changes and events, which would not leave the house to emptiness and desolation. And expressing themselves, far more according to their general hopes and good wishes, than any definite expectations, the brethren of that Council did indeed say,—"If the proprietors of the meeting-house see fit to close it awhile and wait for the movements of Providence, we feel persuaded that the time will soon come when the way will be made to open it under better auspices. A new organization formed for the purpose, would, of course, stand clear of most of the embarrassments of the present."

We are authorized by the brother† who wrote these sentences, to affirm most emphatically, that *he had not the least idea of any organ-*

* After the dissolution of the Church there was a negotiation on this subject, which was interrupted by the conflicting movements of the minority.

† Rev. Mr. Lawrence, of Marblehead.

ization from the members of the Howard Street Church, as the "*new organization*" which *might* be formed. And without the slightest reservation or qualification, we also affirm, that the idea of any design "to get rid" of the Howard Street Church, as "then organized, that a new one might be organized in its place," *was not entertained by a single member of that Council, which advised the dissolution!* And those brethren, who are as worthy of as much respect, every way, as any of the authors of the Result which we are reviewing, might just as well be wantonly charged with the crime of parricide or of *suicide,* as of the *conspiracy,* which has been clandestinely alleged against them, to break up the Howard Street Church, in order to throw out into the world, or "*get rid of*" a certain undesirable "portion of the materials" of that Church. Although it is said with so much confidence in the Result, that "it is admitted by *all,* that a Church, and the worship and ordinances, ought to be sustained in Howard Street," *we deny the statement,* most positively and absolutely.

To this point we may advert in another connection. And we will now only add, that this late Ex parte Council are the last of all men, who should urge the objection to "the dissolving act of Howard Street Church," that it "was improperly recommended by the Council which advised it; the Church not having voted to submit any such question to them for advice." *What jurisdiction had this Ex parte Council, in respect to proceedings of the Essex South Conference? Or what authority had they to revise the doings of the Mutual Council, which advised the dissolution of Howard Street Church? And by what right did they adjudicate upon the case of Ezekiel Goss?*

When Dr. Albro pressed upon his associates in Council the palpable evidence, that they had no case properly before them, in the matter of Mr. Goss,—the delegate from Middleborough, evidently feeling the pressure to be too stringent, moved that the case of Mr. Goss should be passed over, and that the Council should proceed to take up the Howard Street question. But some of them doubtless saw, that if they should admit that they had no case in respect to Mr. Goss personally, they could not have the shadow of an apology for considering this question of the Howard Street minority. But they *had no case;* and if Mr. Goss had desired to be recommended to Crombie Street Church, that Council, we venture to affirm, would never have had an existence. Or if the Council had met, they would as soon have followed Mr. Goss to California, as have passed the votes which they did in respect to him.

They have said, with much truth, but very poor consistency, that "any other discipline than Christian discipline is a thousand times worse than no discipline." And in our judgment, "any other" Result than a Result the very opposite of theirs, is much more than "*a thousand times worse than none.*"

8. The Council insist, that if their reasoning on the abstract question were inconclusive, and if it could be proved that the act of the Howard Street Church in dissolving were valid, on the general principles of the case, yet it is "null and void," on account of the erroneous mode in which it was done. Fourteen rules, it seems, had been adopted by that Church, to regulate the management of its concerns. These rules respected the form of government, admissions and dismissions,

discipline, stated meetings of the Church, observing the Lord's Supper, &c. Among these rules was the following. "No alterations shall be made in any of the foregoing rules, unless at a regular meeting for business, it having been proposed in writing one week previously, and two-thirds of the members present voting for it." The reasoning of the Result on this subject is, that,

If the Church forbade altering even a regulation as to the time of the Lord's Supper, or observing a monthly concert, except by a vote of two-thirds, and after a week's written notice, much more did they forbid the dissolution of the Church by the votes of a mere majority, and without any such written notice, or any public notice at all. Moreover, by dissolving the Church, the rules as to the observance of the Lord's Supper, of church-meetings, of monthly concerts, and of all other services, and every other rule, would be virtually repealed. If then that cannot be done indirectly which the law forbids to be done directly, surely a vote to dissolve the Church, passed by merely a small and accidental majority, and without any previous written notice at all, is on every principle, both of law and equity, null and void. Yet the legal notice was never given, nor did two-thirds at last vote for the dissolution.

This consideration is of itself absolutely decisive. It is abundantly sufficient to settle the case. If we had no other ground of declaring the disbanding vote null and void, this would be all that we need.

By some very peculiar talent of seeing things unseen, more than "things which do appear," our brethren of the Council have revealed to us their greatest idea, in their application of "the eleventh rule" of the Howard Street Church. This rule alone they vauntingly put forth, as "abundantly sufficient to settle the case." And from their whole manner of speech, utterly deceived as they are, we think it not unlikely that some of their readers have supposed, that there *must be* something in it "absolutely decisive,"* in the *particular* case of Howard Street Church.

On the supposition that the Council are correct in their construction of the rule in question, we have to say, that they confound what the Church did do in a certain case, with what would have been done, or what consistency required them to do, in certain other cases, if they had anticipated such cases and made provision accordingly. The majority of a Church were held, legally and ecclesiastically, by such rules only as had been actually made. They were not bound by regulations which had not come into existence; and which they might think that the Church would have adopted, if they had seen fit to consider the subjects to which such regulations might properly apply. What a principle is that for which the Council contend, in the present case! How would it do in general practice?

There is no Legislature which fully carries out all the principles of its legislation. The same reasons, which lie at the foundation of some of their laws, require them, if they would be consistent, to enact other

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* "Nothing is more common," says Andrew Fuller, "than for the most false and pernicious doctrines to be advanced with a boldness, which stuns the minds of the simple and induces a doubt: 'Surely I must be in the wrong, and they in the right, or they would not be so confident!'" How much more likely to "stun the minds of the simple," are such *astounding* asseverations, as those of the men, who have written or sanctioned this Result!

laws. There may exist more powerful considerations for framing additional statutes. But no one is legally bound to govern his actions by such regulations, till they are actually ordained. Some laws totally fail of their object, because they are unskillfully framed. Other enactments which might have been made, and which would have been, if the Legislature had possessed more foresight and comprehensive wisdom, are needed to secure the objects of the laws as they are. But no citizen is bound to provide *for legislative defects*, and govern himself by other rules than those which he finds in existence.

The fact is in regard to the Howard Street Church, that all those rules, the alteration of which they prohibited unless sanctioned by a vote of two-thirds, *might have been changed at any time*, by vote of the majority. The eleventh rule provides, that none of the *foregoing* rules shall be modified, except in the manner it prescribes; but *it does not include itself* within the number. And it would have been competent for "an accidental majority" at any meeting to rescind the rule, and then immediately to have changed any one, or all the others, in any manner they chose. It will be said, that this would have violated the intentions of the Church in making the regulation, and defeated the very purpose of the provision. No doubt it would. But none of the regulations already made would have been contravened by such an act, and there would have been technically and legally no impediment to such a course. If the Church failed through inadvertence to make sufficiently complete arrangements to secure their object, they were liable to the consequences of their defective caution.

Further: as the majority of the Church were not held by "the eleventh rule" from passing a disbanding vote, they were left at liberty to pursue such a course, as they thought expedient in relation to the matter. They certainly were morally bound to act with deliberation—to avoid all hasty action, to take measures to secure a fair and full expression of the views of the Church on so important a measure. B t they were not bound to do this in the particular manner upon which the Council insist, *because the eleventh rule did not apply, and was not designed to apply to the subject.*

The question for us, as candid and Christian men, is, not whether the action of the Howard Street Church was *technically* in order, or exactly conformed to the letter of any existing rules or regulations; but *whether the action was in accordance with the principle and the spirit of any particular rule or regulation.* In thousands of cases, Churches in doing business do not proceed agreeably to prescribed forms or the best modes of proceeding. But are their votes "null and void" in consequence? By no means. If our readers will follow us patiently, they will find that in the proceedings of the Howard Street Church, *much more was actually done* to secure a deliberate judgment of the members—*a full and complete expression of the will of the Church*—than would have been done, if the members had thought ever so much of their "eleventh rule" as applying to the case, and had distinctly purposed to apply it to the veriest letter. And sure we are, that in declaring the "act" of the Church to have been "very rash and improvident," and in making other statements of the kind, the Council themselves have occasion to think of the proverb,—*Physician, heal thyself.*

Let us examine this "eleventh" rule. It provided, (1) that "no alteration should be made in any of *the foregoing rules*,—(2) unless at *a regular meeting for business*,—(3) it having been *proposed in writing* one week previously,—(4) and *two-thirds of the members present* voting for it."

First, then, the rule had no reference to any other subject, or any other business, than what pertained to "*alterations of foregoing rules.*" It could not apply, as we have just said, and *was never designed* to apply to any other subject or business. And the grave and solemn reasoning *a fortiori*, that the Church could not be dissolved, because "the rules as to the Lord's Supper, or observing a monthly concert, and of all other services, and every other rule, would be virtually repealed,"—is about the shallowest sophism, which could have been invented.

In the second place, the rule required that every "alteration of the foregoing rules" should be "made at a regular meeting for business." In some of the Churches of Salem, the regular business meeting is that which is held the week previous to the "Preparatory Lecture." At Howard Street, business was done without much regard to such an arrangement, and at any meeting. And if any business had been previously announced, or notified, the meeting would be called "a regular meeting for business." ☞ *In no case* was a "written notice" required, *or ever given!* And any vote could be passed, without any such notice to make it "legal" or valid.

In the third place, the rule made it the duty of any member wishing an alteration of rules, to "propose" the same "*in writing*" one week previous. In other words, he was to state *on paper*, what "alterations" he "proposed," as well as intimate his wishes by word of mouth. Just as in doing any business which is to be a matter of record, some Churches always require of a member, to put a motion or resolution "*in writing.*" The reasons are self-evident.

Although prepared for almost any error of statement or any absurdity in the logic of this Result—after we had read a few of the first pages—we could scarcely believe our own witness, that such a palpable error, if we may not say, pitiable blunder, could have been committed, by interpreting this "eleventh rule," as if it required "*a written notice*" of A MEETING for an alteration of other rules! The "*writing*" had nothing to do with the "*notice*" of a meeting; any more than it would have had, if the Church had said nothing at all of an alteration being "*proposed one week previously.*" Not a word is said in the rule, respecting "*notice*" of any kind whatever!

But the Council in their comments, have seen fit to speak of the proceedings of the Howard Street Church, in the vote to dissolve, as being what "THE LAW FORBIDS," and as without "*legal notice.*" Their language appears, as if they here confounded the Church with the Proprietors of the house of worship, and reasoned concerning the business of the Church, as if under the same legal restrictions, as business of the Proprietors. They do the same elsewhere. And as if this "eleventh rule" was like a statute of the Commonwealth, or was subject to the laws of the land, requiring *written notices*, with other forms to *legalize* certain meetings, the Council have "*settled the case*" against the majority of Howard Street Church! Because,

forsooth, these did not give "*a week's written notice*" and "*the legal* notice" of the meeting, when they voted to dissolve the Church!!

If this construction of the "eleventh rule," and the argument from it, could have originated in the mind of some wily politician, or veteran practitioner at the bar, well versed in the arts of "professional license," and not over-scrupulous in stating facts and expounding statutes, we could easily account for both the one and the other. As it is, we must suppose, that some member of the Council suggested it, as a very great idea, and perfectly original.

But, in the fourth place, the rule which we have been considering, required that "two-thirds of the members present" should "vote for" any "alteration" that should be made in the ten "foregoing rules." And the Council say, "if that cannot be done indirectly *which the law forbids* to be done directly, surely a vote to dissolve the Church, passed by merely a small and accidental majority, without any previous written notice at all, is on every principle, both of law and equity, null and void."

They had said in a previous part of the Result, "This new doctrine teaches us that a mere majority of the brethren, at a given meeting of the Church, although a minority of all the brethren of the Church, and a very small minority of all the members, can, by a single vote, make every member no member of that or any other Church." If the Council mean, that any of the members of the Essex South Conference hold any such doctrine, the charge is absolutely and entirely false. They then add:

We do not doubt that those who are ignorant of the facts of this case, will read this statement with inexpressible surprise, and perhaps with no small degree of incredulity. It will seem to them impossible that intelligent Christian men, much more, leading and influential ministers in our Churches could, by any course of influences, be led to assume such a position. Yet we have simply stated what an accidental majority of the Howard Street Church profess to have done, what leading ministers claim that they had a right to do; and still more wonderful the right to do which they still contend for, as essential to the independence and inalienable rights of our Churches! The simple and undeniable facts of the case are these. The Howard Street Church, at the time when the Council advised their dissolution, consisted of one hundred and seventy members, fifty of whom were males. At the time of the disbanding vote, most, if not all of these were still members of the Church, for, although some had taken letters to other Churches, they had not been received. This Church, on the evening of May 4, 1847, by a vote of seventeen males, was declared to be dissolved, in accordance with the advice of a Mutual Council.

There is much more also of the same kind in this document, which, ever and anon, opens upon us a paragraph, that for a season makes us feel, as if in a "cloud of Lilliputian arrows," which have the most provoking stings of annoyance, although otherwise powerless and harmless.

According to the Council, then, seventeen male members out of fifty, by a major vote of *seven* at a meeting of *twenty-seven*, passed an act to dissolve a Church of 170 members! It is most distinctly implied, that the vote was not at all anticipated by the brethren as a body;—and that *if it had been*, no such act could possibly have passed! And over and over again, has it been asserted or intimated, that those voting

as the majority *were really the minority!* In the name of *reason*, we ask, what it was which prevented the "*ten*," who were in the negative, from summoning together, at an early day, all the *absentees*,—to reverse or annul that "*one potent vote of seventeen men*," by which "*all bonds have been sundered, all ties cut, and every individual who was once a member of the Church, floats as a solitary atom on the surface of the ocean of this cold world*"! And in the name of TRUTH, we ask, why it was that those "*seventeen*,"—if only "a mere majority of the brethren, at a given meeting of the Church,"—should have been recognized at the time, as in every sense, the indisputable representatives of *the actual*, and *not* the "*accidental*" or the "*very small*" majority of the members, who could have been present, if duly notified? Have some men lost their senses, and has their "reason fled"?

The Result of the Council advising the dissolution of the Church, was given Wednesday, April 14, 1847. The evening previous was the time of the regular church meeting; and in anticipation of the Result, which would of course require some action of the Church, a meeting was appointed for Friday evening, the 16th. ☞ The minority were certainly *no less* interested and active, to say the least, than any others, in giving notice of the meeting, and in being promptly present. It is scarcely possible, that a male or female member in Salem, old or young, sick or well, could have been ignorant of that meeting.

April 16th, it was "voted to take up so much of the Result of Council as relates to the dismission of the pastor, and adopt the same." After other business, as that of giving quite a number of letters of dismission, the Records say:

"On motion, *Voted to take up the rest of the Result of the Council from the table and adopt it!*" After some discussion in relation to the adoption of the rest of the Result, it was then "voted to adjourn one week from next Tuesday evening, at 7 1-2 o'clock, for the further consideration of its adoption."

Mark here, particularly, that the question of disbanding the Church was first discussed, April 16th. The further consideration of the same was now postponed, nearly two weeks. The members of that Church knew as much of the *ordinary* business that was likely to be done, as the members of any other Church that ever existed. And by no possibility could any resident or voting member in the city have been in ignorance of what was now in progress. If *ten* "written notices" had been served upon every one of the Church, and the city crier had rung his bell at every corner in Salem, and proclaimed that meeting of April 27th, the members would have been no more effectually notified and certified.

At the adjourned meeting, April 27th, a large number of letters of dismission were granted, and other business transacted. "On motion to adopt the rest of the Result of Council and comply with their advice," a discussion followed, and an attempt was made to "*postpone the subject indefinitely*." While a call for "the previous question" was pending, "it was voted to adjourn one week, 7 1-2 o'clock."

May 4th, 1847, the Church met according to the second adjourn-

ment, for the special purpose of further considering that part of the Result of Council, recommending a dissolution of the Church. This was now *the third time*, that the subject was brought before the Church.

There were on the list of the Church 160, perhaps two or three more, resident and non-resident members. Less than 120 were resident. The whole number of *male* members, by the books of the Church, was fifty. Of these, *fourteen* were not in Salem; and the most of them were in the same condition as many others, who have a *nominal* connection with our Churches,—but who, in regard to the support or business of the Churches, are only as "good as dead." Twelve were non-residents and two were at sea.

Of the *thirty-six*, who were in Salem, and who were properly voters upon the question, THIRTY *were present at this meeting of May* 4th. They were exactly two to one, in their views of the subject before them; but as the meeting was protracted by the opposing minority, *three* of the "two-thirds" present, who were in favor of the dissolution, were obliged, by the circumstances of their families, or other urgent reasons, to leave the meeting before the question was put to final vote. Thus but *seventeen* of the twenty-seven actually voting, in due form, were in the affirmative,—being *one* less than "two-thirds." But were there not in truth *twenty* to *ten?* And will not every fair-minded man admit, that the vote really was of "two-thirds" in the affirmative?

The vote, taken by yeas and nays, was this:

Voted, to adopt the remainder of the Result of Council, and by and with their advice, this organization is hereby dissolved; and that Deacons Smith, Foster and Driver be a Committee to grant letters of dismissions and recommendations, under date of May 4th, 1847, to all the remaining members of the Church, to any Orthodox Congregational Church they may direct.

☞ The next day afterwards, the *three* in the affirmative, who had reluctantly retired before the vote was taken, gave their names in writing, with *four* others, making *seven* in all,—to be added to the *seventeen*, whose "yeas" had been recorded.* Thus of *thirty-four* out of *thirty-six*, TWENTY-FOUR were for the vote to dissolve. Have we here "two-thirds"? The remaining *two* of the whole 36, having declined to attend the meeting, not wishing to vote on either side, ought, by common interpretation in such cases, to be counted in the affirmative. One of these, we believe, worships at Howard Street; the other, is at the Tabernacle.

Of the fourteen non-residents or absentees, only two are known that would have voted with the "ten." And if a distribution of all could have been made, on the one side and the other, there would have been, as we have ample warrant to say, at least THREE-FOURTHS of the entire fifty, decidedly in favor of the vote of dissolution. The vote would certainly have been no better for the minority. And the proportion

* The paper was as follows: "Salem, May 5, 1847. We, the undersigned, having been members of the Howard Street Church at the time of its dissolution, and not being present to vote,—hereby give our assent to the vote for such dissolution." One of the non-resident members, who had left the city, a few weeks before, put his name with the seven; so that *eight* names are upon the paper.

among the sisters of the Church, in favor of the vote, appears to have been just about the same as among the brethren. Was the Howard Street Church dissolved by a "*bare* majority," and that an "*accidental* majority"? In more senses than one, the question may often be asked,—WHAT IS TRUTH?

☞ But consider another fact. Of the *ten* who voted in the negative, *two*, or a fifth part, *had already given notice of their intention to leave;* and actually did leave forthwith! And their vote in the negative was so given, not because they desired the continuance of the Church.*

And now let it be also known, that *there was no protest of the minority* against the vote of the Church to dissolve. Although a protest does not in the least affect the validity of a vote, yet for the hundredth time, the minority have been spoken of, as if entering a protest against the action of May 4th, 1847, and as if the fact were of vital importance in the case. What *kind* of a protest was entered, and what form of objection was presented, the Church Records will show.

The following protest, offered by Daniel Millett, was handed to the Moderator, without any action thereon,—*after* dissolving.

Whereas a few individals who have been dismissed as members of this Church, but who have notwithstanding been present at two or three of the last meetings of the Church, and by their speeches and votes have been urging the Church to disband its organization, and otherwise in an irregular manner interfering with its proceedings,—we, the undersigned members of Howard Street Church, hereby enter our solemn protest against such a course of proceedings on the part of such individuals, as being subversive of the rights and interest of this Church, and we protest against any further action on the part of such individuals at any future meetings of this Church, and request that this our Protest be entered upon the records of the Church.

DANIEL MILLETT.
E. B. OSGOOD.
Salem, May 4, 1847. EBENEZER CLEVELAND.

The persons objected to or protested against, had explicitly stated, on taking letters of dismission, that they should not use them so as to be prevented from taking part in the further proceedings of the Church. And the Protest, though previously prepared, was not presented, until the vote had passed for the dissolution.

Afterwards, also:

The following was offered by B. A. Gray, and passed to the Moderator, without action.

"The subscriber objects against the votes passed this evening against I. P. Foster, R. P. Waters, and G. Monarch voting on the question of dissolution of the Church this evening. B. A. GRAY."

The minority, at the time of the vote to dissolve, *took it for granted, as was right, that if such a vote should pass, there was to be, of course, an end of the organization, known as the Howard Street Church!*

* Of two others of the ten, one has gone to reside at the West; and the other is in California. So that not more than *six* of the ten are, at the present time, in active service at Howard Street.

They certainly spoke and acted as if this would be the inevitable and unalterable effect of such a vote. It was an afterthought, that led to the claim which they have since urged so vehemently.*

If the minority had acquiesced, as reasonable men; if they had submitted, like others in similar circumstances, to the voice of the majority of the Church,—then, not a thousandth part of the evil which has been occasioned or produced, could, by any probability if possibility, have been experienced. And it is not too much to say, that if one man alone of the leaders of that minority, or at most if two of them had advised the others to desist from the unwise, if not desperate experiment which has been undertaken,—no more would have been heard of the dissolution of the Church in Howard Street, than of the dissolution of the Bethesda Church, in Charlestown, so lately,—or of the Chrystie Street Church, New York city, or of twenty others, formally or indirectly dissolved, within less than half a century. We cannot, then, have a doubt, that the apostle James would say,—*Brethren, these things ought not so to be!* Do not err!

In further proof of the strength of the majority, and of the general concurrence of the male and female members together, in the vote of dissolution, there is "a significant fact" which we hope, if the Council are not, others will be disposed to consider. Out of *less than one hundred and twenty* resident members, NINETY, at least, have taken letters or certificates of church-standing, so as to form other connections,—since the passing of the vote to dissolve; or, previously, either in anticipation of that vote, or from utter dissatisfaction with the state of things in the Church, before and after the Mutual Councils of February and April, 1847!

Have we not not now proved and demonstrated, that, even on the hypothesis that the Church were *legally* bound to regard that "eleventh rule," they went altogether beyond the requirement of that rule, in its strictest principle, and the most rigid construction of its true purpose? It appears to us, that the manner in which the Church was dissolved, was such as to obtain a fair and complete sense of the members on the question; that there was no haste; that the majority was abundantly large to warrant the procedure; and that if the Council would be willing, if they supposed they had no other reasons to justify them, to rest the negative on this ground, they are willing to place it on very insecure foundations, and thus incur the hazard of being "likened unto a foolish man, which built his house upon the sand."

Let us hear no more, then, of the absurd and shameless fabrications which have gone to the ends of the earth, through the correspondents of some of our leading religious papers;—as if a "*factious*" and an "*accidental*" majority of *seventeen* to *ten*, in the most wanton precipitancy, had voted to dissolve a Church of 170 or 175 members! If after all that we have adduced, any one can suppose that "a written notice," for which in their simplicity the Council contend, or any other

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* One of their warmest advocates, and a member of the late Council, has said, that "*the Church was then supposed to be dissolved, as much so by the minority, as by the majority.*" (Salem "Tri-Weekly Gazette," Dec. 21, 1849.) We could wish that he had been as correct in all his statements.

notices than those given, would have made the least imaginable difference in the vote, he can suppose any thing and believe any thing, however incredible or preposterous. And if there are any who can find in "the eleventh rule" an argument "absolutely decisive" of the Howard Street case, against the majority of the Church, then, we suppose that we must be content with the saying of the "Preacher" of old:—"*that which is crooked cannot be made straight, and that which is wanting cannot be numbered.*"

It would be refreshing, like the "shadow of a great rock in a weary land," if occasionally we could find some unsophisticated and unvarnished statements of fact in this Result. The Council say: "Yet it is affecting to see how the memory of the good old ways of our fathers lingered about them, and, in spite of inconsistency, modified their speech. No one was asking for a dismission," &c. "Affecting!" Were the Council dealing in romance? Do they refer to the majority, or the minority, or to *neither?* A large number of the resident members had already asked for letters of dismission, at successive meetings before the vote to dissolve. And at the late hour to which the last meeting of the Church was protracted, by the stormy opposition of a few to the opinions of the majority, it surely was not to have been expected, that many would then be "asking for a dismission." Few were there, but those who could not conscientiously stay away; so painful was it to witness the kind and manner of that opposition. "The memory of the good old ways of our fathers lingered about them," and *for this very reason*, as much as for any other, the NINETY of whom we have just spoken "*lingered not*" at Howard Street.

"Indeed," say the Council, "the Committee or some of them, seem afterwards to have become aware of the inconsistency of their position and duties, for to this day all of them have never met or acted together." The Committee *did* meet very soon, organize, and act together. They jointly signed a letter of dismission, according to the vote of the Church, for one of the members, who happened to be the only one whose request was then presented. "*Some of them*," that is, *one*, did however feel the "inconsistency" of his "position and duties." He had voted with the minority. If we do not mistake, he was influenced also by other reasons, in declining to act with the other members of the Committee. One of the others consulted with two or three pastors of the neighboring Churches upon the question, whether it was necessary for the Committee to sign letters jointly. Being informed by each, without any concert or mutual conference, that a letter or certificate of church-standing, signed by either one of the Committee would be sufficient, he chose to refer most of the applicants to the other member of the Committee, who was the Clerk of the Church at the time of dissolution, and who was willing to attend to the business. Hence, although he himself attended to some applications for letters of testimonial, the greater part of such letters were signed by the Clerk, on behalf of the Committee.

If the vote of the Church had been, to give letters to all "in good standing," as was done in one Church at least, of which we have heard, the responsibilities of the Committee would have been quite different. The vote of the Church was framed or expressed, as it was, in order that no one might have any occasion to complain, that his

rights of membership in relation to other Churches, had been impaired in the smallest degree. If this was wrong, the majority, in mitigation of their fault, may, at least, be allowed to plead the intention of doing right, and an honest purpose of discharging their duties according to what they believed to be, and what they still believe to have been, the wise council of those whom they respect and esteem as true brethren in the bonds of Christ. The Council themselves seem to relent a little; for they speak of the "inconsistency" as "an *amiable* inconsistency."*

And we must here add, that very serious wrong has been done, in what has been said, and much more in what has been intimated, respecting *the majority* of the Howard Street Church. In *Salem*, where they are well known, it is beyond the power of the Council to do them harm. And if the Christian public abroad could know the comparative standing and estimation of the majority and the minority, there are few that would require any investigation of the facts in the Howard Street Controversy, before determining in their own minds, which of the two parties, would most probably be found, upon impartial scrutiny, to have acted with the purest and most commendable regard for every interest of the Church of Christ.

We turn to a few questions for the Council. If they will please to inform us, we should be grateful to learn what more consistent, what more "amiable" and Christian provision could have been made, for a transfer of membership, on the supposition that, instead of the vote to dissolve, all the voting members of Howard Street Church had agreed to give and to take letters, in the manner, which the Council have described, as in perfect agreement with "covenant obligations" and the "principles of Congregationalism." (Result, p. 18.) Would the Church have *ever* become "*a non-existing Church?*" If so, *when?* If not so, then *what kind of a Church* would it have been, after the last vote and the last meeting? In weeks or months following, when some of the members had neither been received elsewhere, nor had applied for membership,—meanwhile the organization having entirely ceased, just as much as if the Church had been declared to be dissolved, by an unanimous vote, both of male and *female* members,—we should be glad to know *where the Church could have been found?* Would it be an existing, or "a non-existing Church?"

Yet the Council say,—"Just as if, after a Church was disbanded, there were any remaining members—just as if it were possible to dismiss any one from a non-existing Church!" And with equal emphasis might *we* say,—'Just as if, *after a Church had agreed to take letters to other Churches*, there were any remaining members,—just as if it were possible to dismiss any one from a Church which by that very act of agreement no longer existed, and was to all intents and purposes a non-existing Church!'

What if the letters had the sentence in the common form,—"*When received by you, their connection with* us will be dissolved"? How would the Council explain the words—"*connection with us*"? Where would they find the existing substantive, for the antecedent of that

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* We believe, that they have somewhere said of *us*, that our *consistency* is "unflinching and commendable."

plural pronoun "us?" What has become of that watch and care, which are so much needed for "every individual" who now "floats a solitary atom on the surface of the ocean of this cold world?"

Of a Church of sixty or of twice sixty members, suppose all but ten or five, or one, had been received into other Churches, at the earliest day. Suppose, however, that for the very best of reasons, or for the worst, the ten, or five, or one had not made application to any Church, although six months or a year had expired. *Will* the Council please to inform us, "*how would such letters, in this case, appear,—'when received by you, their connection with us will be dissolved?'*"

According to the Council, 'if all the members, by advice of Council had sought and received letters to other Churches, and were by them received, the Howard Street Church would have ceased to exist. No covenant obligations would have been violated, no principles of Congregationalism would have been contravened!' The reader may mark the carefully inserted clause—'*and were by them received.*' If the members, applying to other Churches, 'WERE BY THEM RECEIVED,' 'the Church would have ceased to exist!' Here we again ask, will our brethren please to tell us, *of what Church* the *ten*, or *five*, or *one*, whether male or female, and in the condition above stated, could be said still *to be members*, in good and regular standing? And of what Church could they consider themselves members, if other Churches refused to receive them? Who is to watch over them? Who is to discipline the erring and the offending?

In what they say of "*all the members,*" as having "sought and received letters," we do not know, whether they meant to include the *females*, as voting, or the brethren only. If they refer to the brethren only, when they say "*all* the members," then we have further to inquire—whether it was any more a violation of covenant, for a majority of the brethren of Howard Street Church to act for a *minority of the brethren*, as well as for the sisters, than it would have been for the minority and the majority to have united, and have unanimously voted to give and take letters, whether or not *all the sisters* desired them to vote in this manner? Is the covenant any less sacred, in its application to *female* members?

Neither do we know, whether among "all the members" the Council would include non-residents and absentees. If they included "*all,*" or every one of these, then we should be glad to know how many Churches have ceased to exist, in the manner in which the Council consider to be indisputably Congregational,—"*all the members*" of the Church, without any exception, *male or female, at home or abroad*, having cordially *agreed*, "under advice of Council," to "seek and receive letters to other Churches;" not only so, but "*all the members*" not a single one excepted, having been actually "received" into other Churches; and still further, no one of "all the members," *for one single day or hour*, without membership in an undissolved Church organization? Would an *exception* to all this, be "*too absurd to be thought of for a moment*"?

Yet another question. Suppose that by some means, or from some cause, it should so have happened, that any of the members of the Howard Street Church, after agreeing to cease to exist according to the method of the Council, should have long delayed application for

membership in other Churches. Would it make any difference, whether or not they *personally voted* to take letters, or were cordially in favor of the vote, by which the Church was to "cease to exist?" Would they be in *any better condition*, than if the vote had been *to dissolve* the Church; and the vote had been by the majority, they themselves opposing it most strenuously, or mourning over it with all the tears and lamentations with which the authors of this Result have *verbally* bewailed the doings of the Howard Street majority? In one word, would it make *the least* difference, whether an applicant for membership, *had*, or *had not*, *asked a dismission*, *before* the act by which the Church, to which he had belonged, *became* "a non-existing Church?"

Where, then, is the awful difference, between a vote to dissolve—a vote of the major part of the brethren only—and a vote of all the brethren present to give and to receive letters to other Churches? Is there as *much* difference in sober, honest truth, as between Sibboleth and Shibboleth? And, what good reason can there be, for such an "*uproar, as if the universe were falling into ruins?*"

After considering eight different objections to our views, with more or less of detailed argument, the Council say, that "as the general question is now up, we desire that it may be settled in accordance with the great general principles of our system, and on grounds of eternal right. We desire to re-echo the truth that a majority has no right to violate the fundamental principles of our ecclesiastical polity or to contravene the eternal laws of natural equity." (Result, p. 37.) Other sentences follow, with the same rolling and reverberation of "great swelling words," as if something most terrible, or somewhat "most momentous" was somewhere. But the Council soon see fit to relieve us, by using a mode of speech, which we can so far comprehend, as to venture to consider.

We are charged with applying the principle of the right of a majority to govern, "out of its proper sphere. The right to govern implies the existence of a community to be governed, and its proper sphere is in the government of that community. But the dissolution of a Church is not an act of church-government but of church-destruction. It is an act that renders government impossible."

Now we ask, whether a civil government has not as real and complete authority over an individual subject, as over the community of which he is a part? If so, then every act of compulsion exercised upon him is an act of government. The act of hanging a culprit must be an act of government, performed on the individual suffering the penalty. But the right to govern, we shall be told, implies the existtence of the individual to be governed, and its proper sphere is in the government of that individual. But the execution of a citizen is not an act of government performed on that citizen, but *of the "destruction" of the citizen.* We suppose the Council must of course be opposed to capital punishment, on the ground that the execution of a criminal is not, and cannot, be an act of government, and therefore, government is stepping out of its sphere in inflicting such a punish-

ment, and has no right to order it. We think it but justice to the Council, to release them from the discredit of originating this novel absurdity. It was borrowed from the discussions of the Essex South Conference; and when advanced there, it was considered so inconclusive and weak, as not to deserve the least notice, and it received no reply. We wonder whether the Council, which produced this marvellous Result is yet in existence; and if they are not, in what manner as a Council the members died. They could not dissolve themselves, *even by unanimous vote;* because the right to govern the proceedings of the Council *implied the existence of the Council to be governed,* and its proper sphere was in the government of that Council. But the dissolution of the Council was not an "act" of the Council's government, but of the Council's "destruction." This was "an act" which "rendered government impossible!"

We see not, then, but the Council themselves must be in the same condition in which they have placed the Church; and the language which they employ respecting this body, we can apply with the necessary variation, to themselves. 'If in the inevitable providence of God the Council once formed must cease to exist, let it either be by the act of God taking all its members to heaven, or by so placing them under the watch and care of other Councils, that the Council shall not cease to exist, until they are all safely located in a Christian home.' We think the Council rather inconsistent with themselves, in the position which they have taken on the alleged misapplication of the right of the majority to govern. If the majority cannot dissolve the body for the reason, that an act of dissolution is not an act of government, then how can a Church cease to exist by a unanimous consent and transfer of the relations of the members to other Churches? Is not this an act of "destruction"? Is not the government of that Church thereafter rendered impossible? To be sure, the dissolution does not take place by a direct disbanding vote; but the Council contend, that what cannot be done directly cannot be done indirectly. The Church is gone, and though its members may be attached to other organizations, yet the Church, as a Church, is just as effectually destroyed as a house is destroyed, which is taken all to pieces and its parts wrought into a hundred other edifices.

The Council attempt to strengthen their position, against objections drawn from the analogy of civil communities. "Appeal has been made," they say "in defence of this mode of proceeding, to the rights of communities to revolutionize governments by the vote of majorities. But the cases are totally unlike. No nation exists by covenant like that, which gives its being to a Congregational Church." Here the ground of this argument appears to be shifted. They had just rested the impossibility of dissolving a Church on the alleged fact, that an act of dissolution was not an act of government, but of destruction. Now it rests on another ground, that such an act violates covenant obligation,—that the Church is a peculiar body unlike a nation, because it is united by the ties of a compact. Whether the covenant is an impediment to dissolution is a question that has already been discussed, and need receive no further attention here.

But they add,—"Moreover, the right of revolution and of disbanding are not the same. No nation or people ever attempted so to disband

itself, as to destroy all public ties between citizen and citizen, by letters of recommendation among other nations." Now we do not rest the authority of a Church to disband, on revolutionary grounds. A revolutionary right exists in all individuals and public bodies, in extreme cases. It is a right not under law and according to the forms of law, —it is not a repeal of law according to established usages and principles,—but it is an avowed resistance and subversion of all law, the justification of which is placed on the ground of a most imperative necessity. The Council seem to intimate that no nation has a right to revolutionize, in such a sense as to destroy all existing forms of government, without providing another. Now a revolutionary right, in the strict sense of the term, and the right to change one mode of government into another, are not necessarily identical. The latter may be and often is a constitutional legal right, but the former is never. The people of the United States have the extreme right of dissolving their government, against established laws and constitutional provisions. They have also, under the Constitution, and in the mode which that instrument provides, a right to change the form of government from republicanism to a monarchy, or oligarchy, or a pure democracy. It is not usual for communities to claim, or rather exercise, the right of destroying one organization, without providing another. But if it should plainly appear that the good of a people would be better promoted by dissolution, without an attempt at substitution, and leaving portions of the original confederacy to reorganize according to their views of duty and interest, they would have the same right to do the one as the other. We, however, as before intimated, place the authority of a Church to dissolve on constitutional Congregational principles. The right we maintain to be just as real, as it would be, if there were an express provision in the covenant of Churches, that a majority or a certain number, which the majority might fix by a positive regulation, should disunite the organization, whenever they thought the circumstances justified such a measure. Our reasons have been given. The Council may call this not an act of government, but suicide. But it certainly is an act of government, if it is executed by the governing power in the usual way of transacting business, in respect to those who are subject to its authority. It is one of the highest acts of government. It may be called "*suicide*," but it is no more so than the dissolution of a peace convention, or a political convention, or an ecclesiastical Council, when the particular purposes of such associations have been accomplished. The term "suicide," was used in the discussions of the Conference, in application to this subject, although the very persons who employed it, would, without any compunctions of conscience for the crime, have committed this very act of suicide, on the meeting of the Conference itself, in a few hours after, if they had been successful in covering their object. If the act of dissolving bodies is suicide, we suppose that adjournment is putting the body subjected to the act, in a state of suspended animation. What right has a majority to do that? It is not an act of government. The proper sphere of the right to govern is in the government of the body; but adjournment is putting the body into a state in which it cannot be governed, during the period for which it ceases to be associated. This is not an act of government, but an act of suspending the vital

functions. The reply to this probably will be, that the adjournment of a body is only a means of putting it into a better condition to fulfill its functions. And that as its members need rest and refreshment, the only condition upon which the association can be continued and its objects accomplished is, that there should be intervals of suspension to enable it to supply those natural wants, the relief of which is essential to life. Now it is well known, that assemblies often adjourn for the discharge of other duties, social, political, and religious, that grow out of other relations, which they sustain to God and the world. They have other connections than those which bind them to the particular body, with which they are united. They have other and often higher obligations to discharge, as members of society and citizens of the world. They adjourn their sessions for the purpose of discharging other functions; that is, whenever their active connection with any particular organization interferes with other and superior claims, they suspend such connection, and give these claims the preference. For the same reason, they dissolve. Their association for a particular purpose is one mode of fulfilling their duties to God and mankind. The reason for this union may be only temporary. An uninterrupted continuance of the association, or the existence of it beyond a certain time, may be inconsistent with other claims of indispensable obligation. Why should not the organization be suspended or dissolved, as circumstances require?

So of a Church. In respect to a particular given Society of this kind, it may or may not be a wise and useful institution. Its situation may be such that it is not wanted. It may withdraw its members from such connection, as would place them in a condition to be much more useful, than they can be in the relation which they at present hold. The members of this particular Church have also obligations to discharge to the Church Universal. They are members of the kingdom of God. The duties devolving on them in this capacity are as binding, as the duties to this smaller community. They are much more so. And if these limited duties interfere with others of a higher character, there can be no hesitation as to the proper course to be taken. Any particular organization, or form of doing good, must be abandoned, when it interferes with the general welfare. It is as much the duty to *destroy* in some cases, as it is to *build up;* and in some circumstances majorities of associated bodies are *never acting more appropriately—never using the power of government,* which they possess, *to better purpose,* than when they dissolve the organization and commit what the Council call *an act of suicide.* It is a principle running through the natural and moral world, that destruction is necessary to better and more useful forms of reproduction. The corn of wheat must die to multiply itself and become more extensively useful. It was necessary even for the Council whose Result we are considering, to dissolve, although we can have no security that its members will be ever associated again in high debate, to shed their brilliant light on the Essex Churches.

It will be of no avail to the Council to allege here, that the objection lies not against the discontinuance of a particular local church-organization, but against its dissolution, before there is a transference of its members to other connections. The Church, as a Church, has ceased

to exist in either case. As a Church, it is destroyed, and the Council contend positively that it cannot put an end to its own existence, because an act of destruction is applying the power of the majority out of its sphere, and cannot be an act of government. Then certainly it cannot cease to exist in any mode, whether with transference or without. When they say, that a Church cannot be dissolved, until all its members are safely placed in other organizations, then they give an additional reason, and altogether shift the ground of the objection as before stated. And for a consideration of it in this form, we refer our readers to previous pages.

The Council state the new principle, as they call it, in another form. "It is the right," say they, "not only to destroy their own rights but to plunder others of theirs." If the Council feel any disposition to accuse us of any severity of language in the remarks which we have made, we hope that they will check themselves by a review of some of their own phraseology. We are charged with setting up *a principle of plunder*, with advocating the doctrine that a majority may lawfully *rob a minority* of their rights, as well as destroy their own. Other forms of expression occur of a similar tenor. We have a right to defend ourselves against such attacks, and in doing so to use stronger language than has been employed.

But to return. The charge is utterly false. If as we have maintained, it is a principle of Congregationalism, that majorities can disband, and all the members of a Church enter it on an implied understanding of such a condition, then their rights are no more violated, when the act is performed, than would be the right of an opposing minority, when an Ecclesiastical Council, or a World's Convention for the promotion of peace, or anti-slavery, or Christian Union, vote to dissolve, because the reasons for their further continuance have ceased, and the duties of the members call them to other spheres of labor and usefulness.

The Council proceed with some objections and questions, which have more tendency to operate upon the feelings of undiscerning and unstable men, than to produce conviction in reflecting minds. "We cannot but wonder," say they, "what can be the cause, that so much zeal is manifested in behalf of the right in question. If the disbanding of a Church were some great good, some glorious result for which Churches were ordained, we could understand it. But what Church once organized does not naturally desire to live and bless the world, &c. Why do we find no where in the Bible any directions as to this mode of dissolving Churches, for which so much zeal is manifested? Why do we find no such directions in any earlier or later works on our church-polity? Is not this a significant fact? Does it not proclaim the truth, that to live and increase is the great end of a Church, that its death is an event to be deprecated as unspeakably mournful?"

We can inform the authors of the Result, that the interest and activity exhibited by those who take the affirmative of this question, are owing in a considerable degree to the violent attacks made upon them by their opposers. They were put on the defensive; and as those who took the lead in the assault are well known to such as know them at all, to be men of very excitable dispositions, and bent on attaining their object, the defence necessarily assumed a more active character,

than if those who had undertaken it, had been called to encounter antagonists of a less vehement temperament. As both the Conference and the Tabernacle Church were contending for what they honestly supposed to be a just principle, they were not willing to yield it to clamor and pertinacity; and were determined to maintain their position, until some sufficient reasons were offered for abandoning it. These, neither the discussions nor the Result have furnished; and they will wait for further light before they change their ground.

As to the good which is to result from the application of the principle for which we contend, we have no doubt, that very beneficial results would flow in some cases, from the dissolution of Churches. We think if those members of the late Howard Street Church, who have so improperly procured the recognition of themselves as the Church which no longer exists, had acquiesced in the vote which disbanded them, instead of striving to maintain a feeble existence as an independent body, they would have conducted with much more benefit to themselves and the interests of religion in Salem. If the condition of the city of Salem requires another religious society of the Orthodox persuasion, we are well convinced, that it should be commenced as a new enterprize, which would be free from the odium under which the present Howard Street Church labors, and with a new name, in another part of the city, and divested as much as possible of all associations with the dissolved organization. It would then attract towards itself those who would give it a character which would command the confidence of the community, and be likely to answer its purposes. If the population of Salem should receive a large increase, the Howard Street Association would probably utterly fail of doing any thing of consequence, to meet the increasing religious wants of the citizens, and would employ resources that would be better directed to the assistance of some other enterprize. We have known several instances of attempts being made to establish new Churches, with a view to meet the religious demands of the community, which, either in consequence of the mistake of those who projected the undertaking, or a change in the condition of the place where they were commenced, have proved total failures. The judgment of the most wise and conscientious has been convinced that it was a waste of effort and means to prosecute the plan,—that it ought to be abandoned,—and that the labor of those who have the interests of religion at heart could be much better expended in another direction.

There ought to be, and we have no doubt there is, a power in the majority of a Church, or in such a number as a majority shall declare competent to decide in such cases, to dissolve the body against the wishes of an unreasonable and head-strong minority, who are blindly determined to uphold a cause that is not only sinking and desperate, but which withdraws aid that is needed for other more promising modes of promoting Christianity. It certainly is a glorious result of the application of the principle which we advocate, when the interests of religion are much more effectually secured by its use, than they could be by its abandonment.

The Council ask, "What Church once organized does not naturally desire to live and bless the world till Christ shall come," &c. Supposing it does have this desire, does that prove that the desire is reasonably

indulged? And if it is an unreasonable desire, should it be gratified? If a Church finds itself in such a situation, that it can better subserve the cause of religion by ceasing to exist, and adopting some other form of advancing Christ's kingdom, *it should desire to die*, and bless the world in those modes which are pointed out by the providence of God and the Great Head of the Church.

We have further to say, that, if the natural desire of a Church to live, is any reason why it should not be dissolved, *it is equally good against its existence being discontinued in any mode;* and as the Council allege it to be right and expedient for a Church to put an end to its being, by unanimously incorporating itself with other bodies, we have only to ask them to give us a reply to their own argument, which is as valid against their principles as ours.

"Why do we find no where in the Bible, any directions as to the mode of dissolving Churches? Why do we find no such directions in any earlier or later works on our church-polity? Does it not proclaim the truth that to live and increase is the great end of a Church, that its death is an event to be deprecated as unspeakably mournful, and that no directions are given as to this newly invented mode of self-destruction?" In these questions, two things are mixed together which ought to be kept distinct. When the Council ask, "Does not this proclaim the truth that to live and increase is the great end of a Church," they ask a question which implies as strong an objection to a mode of terminating the existence which they concede to be authorized, as to that which they deny to be valid. But before they close the question of which this is a part, they slip in other words, which essentially vary the interrogatory and turn it in their favor. The words are, "and that no directions are given as to the newly invented mode of self-destruction." Here the ground of objection is so changed, that it seems to lie, not so much against the "unspeakably mournful," and much to be deprecated death of the Church, as to the alleged uncongregational mode of dying. The Council may gain some advantage to themselves with those who read cursorily, and with their prejudices strongly enlisted in favor of the principles of the Result; but we think they will lose on the whole more than they gain, by such a mode of reasoning. The cause will be suspected, which needs such defence. "If," say the Council, "in the inevitable providence of God, a Church once formed must cease to exist, let it be either by the act of God taking all its members to heaven, or by so placing them under the care and watch of other Churches that the Church shall not cease to exist till they are safely located in a Christian home." Such a temporary cessation of all relations as we contemplate, occurring between the time letters are taken from the disbanding Church, and that in which a connection is formed with another, though it might not in some cases embrace a period of twelve hours, the Council think a shocking violation of the covenant, and an outrageous abandonment of Congregational principles. We have endeavored to show, that their position is groundless, that the covenant is unbroken, that the principles of our system are retained without any infringement by such procedure, and that the evil, which sometimes may happen of one or more being left without the covenanted watch and care of any Church, is incident to the process or procedure, which the Council themselves allow,—and,

which we now say, must be submitted to, as one of those imperfections of human things which cannot be removed, without incurring a greater mischief than the removal is designed to remedy.

Having endeavored to show that there is nothing in the principles of the Congregational system, which forbids the disbanding of a Church when sufficient reasons exist for so doing, it is not necessary for us to proceed farther. But we wish to draw the attention of our readers to a principle, which has an important application to the subject in discussion, and which has been entirely overlooked in the Result. We have alluded to the distinction between the *wrong* of an act and the *invalidity* of an act. The Council seem to take it for a conceded and undoubted point, that, if an act of the Church is wrong, it is necessarily of no authority, and may be treated as an entire nullity. They have reasoned upon a false assumption, and the Result betrays a great want of discrimination upon this point. How is it with regard to civil regulations? Take, for instance, the law of this Commonwealth relating to the marriage institution, as it was before its modification by the Legislature—now in session. It required a publication of intention of marriage some days previous to its solemnization—certain designated persons only are allowed to unite the parties, and they are prohibited from exercising their power except within prescribed limits. But *if all the prescriptions of the statute are violated, the violation does not nullify the marriage;* that is just as valid, as if every regulation had been strictly complied with. The parties offending are indeed liable to punishment; but the bonds of marriage are not to be sundered. There are other marriages which are *ipso facto* void, those which are formed within the prohibited degrees of affinity, and when new connections are entered into by persons whose partners are living.

Very inexpedient and unjust laws are sometimes made by legislative bodies, and very unjust decisions given by the highest civil tribunals, which themselves *are of as much authority* as if dictated by the most perfect wisdom; and can no more be treated with disregard than the most righteous laws and judgments ever promulgated. Unconstitutional laws of the United States Congress can be set aside by the judgment of the Supreme Court; but who can nullify the unconstitutional decisions of that high tribunal? And what power is there to render invalid such laws as are within the constitutional competence of Congress to enact, even though they may be in some cases much more detrimental to the rights of individuals and the interests of the public, than some which are most palpable infringements of constitutional provisions? The distinction between *wrong* and *valid* acts is clear enough without discussion. And the idea of the Council, that "an act of the majority" can be "*vetoed by its own intrinsic unlawfulness,*" is, if we may borrow other words of their own, "too absurd to be thought of for a moment." The question would simply be, not whether an act had passed or had been voted; but whether the act was in itself intrinsically right or wrong! And this question *no vote*, although unanimous, could ever decide.

Now it is the theory of Congregationalism that every Church is *independent;* by which we mean, that there is no ecclesiastical power or body that has any jurisdiction over it. Its acts cannot be controlled or invalidated by any higher authority. Ecclesiastical Councils and

Synods have only the power of giving advice, without the least right to any other kind of interference. And if a Church violates its covenant obligations or infringes on the principles of Congregationalism, or tramples on the rights of individuals, the acts *cannot be revised and rendered void by any power above the Church itself.* Individuals who suffer unjustly from church-censures, or any measures which the members pursue, may be received into other Churches, if they are disposed to admit them; but *they cannot be put into their former condition* without the consent and act of the Church which has inflicted the wrong. Minorities cannot render null and void the acts of majorities. The majority is the Church; and if you say that the acts of the majority can be properly considered church-acts only when they are conformed to the regulations of the Church, we reply, that *it is for the majority to interpret these rules*, and to decide whether they have been infringed or not. And the moment you admit that the minority can decide this point, advised or not advised by Councils, you make the minority a majority, and give to the latter the rights and powers of the former.

Sometimes members of a Church may be, they not unfrequently are, most unjustly excluded from the Church with which they are connected. What is the remedy? Not a reversal of the act of the Church, and a restoration of the individual to his former standing in the body from which he has been separated, but a reception into the fellowship of any other Church, which is disposed to extend to him the privileges of her fellowship and care. When a person is unjustly ejected from the possession of a certain tenement which he claims as his own, and his friends make up the loss by providing him with another, instead of attempting to compel the wrong-doer to restore him to his former possession, it may be called in a certain sense a remedy —a reparation of the injury; but it is quite a different thing from reinstating him in his former position and nullifying the act of the offender. There may be power to do the latter, when there is none to do the former. This illustrates the case of a person unjustly excommunicated. The act of the offending Church remains valid. There is no power to undo that act itself, though another body may grant him the privileges of membership.

Any one who will observe carefully, how the Platform provides for the treatment of Churches that have become corrupt and scandalous, will be struck with the great pains which its framers have taken, to guard the independent control of Churches over their own concerns. It takes the ground that the being of a Church is not destroyed immediately by its degeneracy; and it provides, that, even when a Church has become so deterioriated and unchristian that it is obliged to be excommunicated, it still retains its character as a Church; so that the faithful minority who adhere to its original faith and covenant are not the Church, and can only have the difficulties and wrongs of their position remedied, by becoming connected with other organizations. Why did not the Platform ordain that when the majority of a Church had become so corrupt, as to lose their Christian character, and be cast out of the pale of Christian fellowship, the steadfast minority should be considered as the Church, instead of allowing them only to forsake their former connections and become connected with

other bodies? The degenerate Church is still considered as a Church, although it may have an unchristian covenant, an heretical pastor, be composed principally of unregenerate members, received on the avowed ground of dispensing with the necessity of a radical change of heart,—and either exercising no discipline at all, or an unchristian discipline, which the Council say "is a thousand times worse than none." And if it be considered as a Church in such a case, its acts must be considered *as ecclesiastically valid;* because it would be absurd to consider it a Church, when its church-acts were all a nullity.

We suppose it will be replied to this, that the Church may be still considered as having a being, bound by the obligations of its original covenant which it cannot annul, and possessing the capability of acting rightly and validly, although all its wrong acts are of no authority. Now it is a well-understood principle of Congregationalism, that none but true believers have a right to celebrate the Lord's Supper. Of course none of the majority, in the case supposed, are entitled to this privilege. The Church, as a Church, in its present state, has no right to appoint the observance of this ceremony; the pastor has no right to administer the ordinance; the deacons, we will suppose, have no right to distribute the elements; a large portion of the Church are disqualified for receiving them. The season, however, is appointed, and the evangelical portion of the members are bound by virtue of the regulations, to attend and partake in the celebration. But if the administration of the Supper *be a nullity, as it must be, according to the principles of the Result*, then under what obligations are the pure part of the Church to participate in it? The only possible ground on which they are obligated to attend on such occasions, is their relation to the Church that observes them. But if the act of the Church is entirely invalid, and to be treated just as though it had no being, then they are bound to stay away. The Platform evidently contemplated their uniting with the Church in such acts. They could not consider the act of the Church in such case otherwise than as a wrong act, and yet an act proper for the uncorrupted portion of the members to unite in. So it must be, if they meant any thing, by allowing them to remain in the Church without a forfeiture of their Christian character, after the exclusion of the whole body from Christian fellowship. For it is to be observed, that they do not *require* them to leave the Church; but only say that they *may* quit it with the advice and consent of a Synod.

Again: Suppose, after being excommunicated, the Church, in that condition, had settled an unrenewed man for their pastor, and received a large number of unsuitable persons into fellowship. Then suppose the Spirit should descend and convert both pastor and flock,—would it be necessary for the pastor to be called and ordained again, and the members to be received again? On the ground of the Result, we see not how it could be otherwise. For the act of choosing the pastor was morally wrong, and the reception of the unfit members was equally so, and of course invalid and mere nullities, requiring to be held void, and to be treated as though they never had a being.

It is very evident, how sacredly our fathers regarded the independence and supremacy of the Churches as to the management of their own affairs. When a person was excommunicated from a Church, he

was made no member; completely put out of his former position and divested of his former relations; as much in the world as before his connection with the body. Such power had each Church. But *when Churches were excommunicated, they were considered as Churches still;* so much so, that the sound part would remain in connection and fellowship with them, without forfeiting the Christian regard of neighbor Churches. Their wrong acts were held to be valid church-acts, subject to the nullifying power of no other and higher authority.

We suppose, that it may be replied to what we have urged, that the manner in which the framers of the Platform viewed the Churches, goes to strengthen the positions of the Result; inasmuch as it would seem to be so impossible for a Church to be disbanded, that no corruption of their character, nor even the unanimous excommunication of them by other Churches, could dissolve them. We think, on the contrary, that this very aspect of the case serves materially to strengthen our own; for the whole foundation of the method of regarding and treating corrupt Churches, laid down in the Platform, is *the complete independency of such Churches, of all foreign control.* Their power was such that they could be Churches, even though they could not be regarded as truly Christian Churches. Even excommunication, which could operate with such disfranchising effect, when inflicted by a Church on one of its own members, could not affect the existence of the Church, on which the censure was inflicted by its sister Churches.

Now, if the Council had taken such views of the rights and supremacy of Churches as the Platform does, we think that they would never have advised the minority of a Church to nullify the acts of that Church, because they might think them wrong. They would not have set up a principle, which, if it was carried out, would spread confusion through our whole system. If they thought the minority wronged, there was another remedy. *This minority might have been organized into a new Church*, and have continued to worship God and observe the ordinances of religion as they now do; and all the difficulties and dangers, which have followed this capital mistake of the first Council of the Howard Street minority, might have been avoided.

It is neither new nor strange for minorities to claim the rights of majorities. It is nothing new for demagogues in church and state, to lend their aid and countenance to such unwarrantable pretensions. We wish minorities to contend with all proper earnestness and resolution for their rights against tyrannical majorities; and we just as sincerely hope, that majorities will use their legitimate power, in protecting themselves from turbulent and usurping minorities.

We hope Ecclesiastical Councils, also, will take care, not to give their sanction to principles, which tend to encourage those who are unwilling to submit to restraints and authority; and who, whether a majority or minority, *are determined at all hazards to make every thing bend to their own will*, and absorb all power into their own hands. The false principles which they establish may recoil with terrible retribution on their own heads; and cause them to see, too late for their own safety and peace, the error and folly of their course.

From the assumptions and professions of our brethren in their Result, it would be taken for granted, that they had never heard of such a thing in all their lives as a dissolution of a Church; and that the vote of the Howard Street majority was without precedent, or parallel, in all that has ever yet been known in our Churches. We might say to them, that *if this were true to the letter*, the act of the Howard Street majority might neither be invalid nor unwarranted. Can they tell us, *what Church in New England set the example of voting to take letters to other Churches?* And what better right had that Church thus to vote, than the Howard Street Church to vote as they did, May 4th, 1847, even if no other Church had ever done the same before?

In the Result of the Mutual Council, that advised the dissolution of the Church at Howard Street, the "step" was declared to be "uncommon." The language was used, because it *is* "*uncommon*" to disband a Church, *as a remedy for internal disorders.* Still, the disbandment of Churches, *from other causes*, has been relatively *not* uncommon. And hence in another document, a member of that Council speaks of the examples, as if "countless,"—using, *currente calamo*, an epithet of colloquial hyperbole.* And until the groundless clamor was raised against the vote of Howard Street Church, we had never heard of a single instance, in which the majority of a Church, wishing to put an end to their organization, had refrained from a vote to *disband* or *dissolve*, merely because the vote could not be *unanimous.*

When Churches have been so reduced in numbers, as to be incapable of sustaining their organization efficiently; or when, as in many experiments of *extension* or colonization, expectations of prosperity have not been realized; or, when by union with another Church, or, by distribution in more Churches than one, the great end for which particular Churches are formed, may be better accomplished,—votes have been taken, unanimously, or by majorities greater or less, for disbandment, or for union with other Churches. In each case, the usage has been, to make provision for letters of testimonial, or certificates of church-standing, so that the members might be received and recognized elsewhere.

Churches have become extinct, as some of our brethren would say, "*by the visitation of God!*" By removals, by transfer of membership, and by various unfavorable influences, they have languished and expired. Thus was it, we suppose, with a Church in Egremont, another in Bellingham, Newbury Second Church, and a Church in Concord, Mass.*

We shall now adduce some illustrations of our doctrine from the ecclesiastical history of New England; and shall also avail ourselves of the direct or indirect witness of eminent Congregational clergymen,

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* We should have thought that this might have been so interpreted, without such an uncourteous imputation upon him, by a "Layman," (Congregationalist, Feb. 8.) Whoever the writer is, he may do well to turn to John xxi. 25, and then to Luke ix. 55.

* See Quar. Reg. Am. Ed. Soc. Vol. xi. p. 183.—See the same, or other volumes, for proof of other statements, and for other facts, to which we shall not allude.

whose opinions are as valuable, as any examples of the action of our Churches.

Reminding our readers of what we have cited from the memorials of the days of "the fathers," (pp. 45–47,) we would again recur to the discussion in the "Spirit of the Pilgrims," respecting the doctrine of the Courts of Massachusetts, as first maintained by Judge Parker, in the Dedham case. It is substantially this:

A Church, when once connected in public worship with a town or parish, cannot, but by extinction, be disconnected. It cannot, as a Church, withdraw. It may become, in conscience, dissatisfied with the connection; ☞ *may vote to dissolve it;* and its members, in a large majority, may leave the parish; but they leave it only as individuals; the Church, with its property, remains. Indeed the members may all go, and go by solemn vote; but, in this case, they die as a Church; their property, however expressly given and secured to the Church, is left to the parish; and this "is competent to institute a new Church," which may be more obsequious to its wishes, and "will succeed to all the rights of the old." (Vol. I. p. 120.)

This doctrine is contested with great ability. A single passage must suffice for our present purpose.

Did Chief Justice Parker ever hear of a Church voting, by a large majority, to withdraw from a parish, and of its withdrawing accordingly, and *still of its leaving itself behind?* This was the case precisely, on which his Honor was called to decide. What usage of the country can he bring, in support of such an instance as this? No doubt, church-members may remove from one place to another; and indeed a majority of a Church may remove, as individuals, by dismission and recommendation, and still leave the Church behind them. "A diminution of numbers" in this way, "will not affect the identity of the body." But when a Church, in regular meeting, takes up the subject of withdrawing from a parish; deliberates respecting it; solemnly votes to withdraw, and accordingly does withdraw, (☞ although it may leave individuals behind,) *we insist upon it that the Church is withdrawn; and we challenge any person acquainted with our history* to bring any respectable usage of the country, previous to the late decisions, to countervail the sentiment we have expressed. (Spirit of the Pilgrims, 1828, pp. 123, 4.)

The power of a Church to withdraw by its majority, as here claimed to be according "to the usage of the country," *is the power of dissolving the organization*,—which, it is implied in the previous passage, may justifiably be exercised. In general, we believe, "the exiled churches" have been reorganized, in order to have a quiet and an undisputed legal existence. Some of them, like the Dedham Church, still claim to be the *old* Churches, undissolved, though separated from the original parish, or society. There are difficulties, in such cases, which it appears to us, it is best to meet by a new organization. But it was much to our surprise and regret, that some lay members of the Essex South Conference appealed to the unrighteous and oppressive interpretations of our laws, by the Courts of our State, as if conclusive in favor of the pretensions of the Howard Street minority. The Courts of Massachusetts HAVE NEVER YET HAD A CASE LIKE THAT OF HOWARD STREET!

We had expected to see in the Result, a similar reference to the laws of the Commonwealth. And we take it for granted, that, all

things considered, it was deemed best to omit it; and that the same conclusion was formed in respect to some other arguments, which were urged against us with much *spirit*, but of which we find little or nothing in this Result, *except* the spirit.

In Natick, one Indian Church, *two* Indian and English Churches were successively organized, and became extinct, before the present First Church was formed, in 1802. The Indian Church gathered by John Eliot, in 1660, "was *dissolved*, soon after the death of the pastor, in 1716, if it were not indeed before." "The Church of Indians and English, gathered in Mr. Peabody's day, (Dec. 1729,) having been, from causes not explained, *dissolved* at his death, or soon after, another Church of the same description was embodied a little before Mr. Badger's ordination" (1753). The Church had become extinct, in 1799.

The Church in School Street, Boston, (Andrew Caswell's,) formed in 1748, was disbanded in 1785. The house of worship was sold. So far as we have learned, we believe that this was a case precisely in point, as an example for the Howard Street Church, if any had been needed.

The First and Second Churches in Newport, Rhode Island, were each *dissolved*,—votes having previously been passed in each, to unite their property and interests together for a new organization. Both Churches were very small, and a union could not be effected, in any other way, than by an absolute dissolution of each Church respectively. This was in 1833. The members of each were formed into a Church, by an Ecclesiastical Council, with a new covenant and articles: *two* excepted, one of whom being sick took no part in the transactions, and the other, said to be "a most excellent woman," "differing in views." She is a member of the congregation, with which the new Church is connected, but is *not a communicant*. Is not this an instance of a church-member made "no member," "*without* excommunication"?

A Church in Florida, Berkshire County, Mass., "organized May 14, 1814, was *dissolved* Dec. 25, 1831, having had in all, from the beginning, eighteen members. Fifteen of these were added to the Church in North Adams, and others to the Church in Charlemont, Franklin County."

In 1830, a small Church in Bow, N. H. agreed to "*disband*," —"voting to give letters of recommendation to all the members." The reasons were, that they were unable to sustain religious institutions, and could conveniently be connected with other Churches. In a resolution, setting forth their reasons, it was "*voted, that the Church be and hereby is disbanded.*" Two or three members were absent from the meeting, but were understood to be in favor of the measure. *If it had been otherwise*, we are warranted to say, that *it would not have prevented the vote to disband.* Rev. Dr. Bouton, of Concord, N. H., presided at the meeting, when this Church thus voted. Among other remarks, in communicating the facts, he says:

Without entering into an argument on the subject, my views concisely are these:—1. There may be good and sufficient reasons why a particular local Church should be dissolved. 2. Of those reasons, a majority have the right to judge. 3. The minority have a right to *protest*, and, if they wish it, to

have the advice of a Council, *before the act*, or, if aggrieved by the act of the majority, have a right to appeal to a Council. If on the question of disbanding, the Church is divided, the parties better *first* ask the advice of a Mutual Council. * * * If a minority protesting against the act of a majority, in disbanding, *after* advice of a Mutual Council, still feel aggrieved, they have the right to ask advice of a Council; but in my judgment no Council can, consistently with the principles of Congregationalism, recognize such *minority* as "the Church"—"retaining or sustaining its visibility." The Council may advise them to re-organize upon the same platform, and to assume the same name; but to claim that they are the identical Church, which was disbanded by vote of the majority, in accordance with the advice of a Council, seems to me preposterous. On that principle, a single member may claim to be "the Church," in opposition to the disbanding vote of ninety-nine, and contrary also to the advice of a Council thereunto. Such church "unity" might satisfy the most radical reformers!

The opinion of Dr. Bouton, in a case like the present, will be appreciated by all who know his high standing and character. And in connection with his witness, in regard to Congregational usage, we will cite an extract from a letter of Dr. John Woodbridge, of Hadley, whose praise is so great in all the Churches of that beautiful region, in which he is permitted to spend the evening of his useful life.

I agree with you in opinion, that provision should by all means be made for the regular dismission and recommendation of members from a disbanded Church. Regular communicants cannot break away from their covenant obligations; nor can they be cast by their brethren, unshielded and unprovided for, upon the world. The children must be lodged, fed, and clothed.

With respect to the *unanimity* by a Church in voting its dissolution, it is certainly *desirable*; but not, of course, *necessary* to the validity of the act. Suppose there were but one dissentient; it were surely unreasonable, that his opinion should control a whole Church, and an Ecclesiastical Council too, convened to decide in the case. On this principle, any one man might not only embarrass all proceedings, but if the Church should be dissolved, might claim as his own all the common property, which had been held by the brotherhood,—communion and baptismal furniture, books, buildings and all!

The public good should decide in every instance. It is indispensable, that those who remain should have the reasonable prospect of being able to support the institutions of the gospel themselves; that they should have previously remonstrated against the action of the majority; and that they should be sufficient in numbers, to exert an important influence in favor of the cause of truth and holiness. ☞ It is to be presumed that an impartial Council from the neighborhood will be better qualified to judge in the matter, than a small minority of dissatisfied individuals in the Church. For such individuals to disregard the decision of a Council, seems, not only like self-will, but almost like a breach of fellowship with the Churches which such Council represents!

Not to insist on the leading doctrine of Congregationalism, that the will of a regularly constituted majority must govern, except in cases where there is an invasion of the rights of conscience,—I merely add, that, in many instances, *some* will be found to dissent from measures, which are of the greatest importance to the peace and prosperity of the Churches of Christ.

☞ While, therefore, I would, if possible, obtain a *unanimous* vote in the case you mention, I should not feel myself bound to acknowledge an ecclesiastical *organization* which ought not to exist, and which, in fact, a large proportion of those composing it had dissolved by a regular act, consonant

with the rules prescribed in the New Testament and the usage of our Churches.

Some time last summer we had some conversation with Dr. Lyman Beecher, in relation to the dissolution of a Church. We inquired of him, whether a Church could not be dissolved by vote of the members? With his characteristic pleasantry and decision, he replied,—"*I do not know how else a Church can be dissolved.*" And the idea, that there was not power in a Church to disband, *by the action of a regular majority*, was treated, as if any man who entertained it must be deficient in common sense.

The Brainerd Church, in Belchertown, organized in 1834, ceased to exist, in 1841, by uniting with the old Church—each Church voting in favor of the measure. A Council was called to consider the subject. In the Brainerd Church a few members opposed the union, and did not vote—nearly all absenting themselves from the meeting, when the Church took final action. *One*, however, resisted the proceedings as warmly and indomitably, as any of the Howard Street minority did the action of that Church, in May, 1847. He appeared before the Council, and claimed to be himself *the Church*, although every one of the rest should become united with the old Church. The moderator, the late Rev. Mr. Perkins, of Amherst, and a very intelligent and prudent man—with other members of the Council—maintained, that, "although a Church could not transfer the relation of a member from one Church to another without his consent; yet there were some things, which a Church might vote, that would be obligatory on every member, and generally they were such things as were thought promotive of religion, and the best good of the Church."

To the claim of the member, that *he* would still be the Brainerd Church, "the Council said '*No.*' The Brainerd Church have voted to unite themselves, and become consolidated with the First Church, and all become one. This they have a right to do. But if the Church remains still a separate Church, *it is not united.* There would be an inconsistency in taking such a position. All the members of both Churches"—it was further said—"*were bound by the church-votes.*" "In one sense," remarks our much respected informant, who was a leading member of the Brainerd Church, "*both Churches were dissolved* by their votes, as *distinct, separate* organized bodies; in another sense, *neither* Church was *dissolved*, but merely changed from a separate organization to a union organization, retaining their former articles of faith, officers, &c. The *one man* has never communed with the united Church, and has been *excommunicated* for refusing to observe church-ordinances. All others have come into the union."

Here, certainly, is the principle of action in the case of Howard Street.

In the neighboring town of Granby, the West Church united with the East, a few years since. There was an opposing minority, most or all of whom, instead of persisting in their opposition, took letters, we believe, to the Church in South Hadley. There have been similar cases of union, as in Otis, in 1810, in Pittsfield, in 1817, in Marlboro', in 1835, with many others of earlier or later date. We know nothing of the manner of voting.

One example of this class, that of the Pleasant Street Church in Portsmouth, N. H., was fresh in the memory of the moderator of the Mutual Council, which advised the disbandment of the Howard Street Church. And by this time, we are inclined to conjecture that the members of the late Council, who may be among our readers, will begin to doubt whether he *could*, if he *would*, very justly claim to be the "*originator*" or "*inventor*" of the doctrine of church-dissolution.

"The case which occurred in Portsmouth," he has said, (Puritan Recorder October 4, 1849,) "came under our personal observation. One Church had gone out as a colony from the other. But adverse events and commercial disasters had, after a few years, greatly diminished the ability of the two; and the difficulties of their case begot mutual irritations. Hence the Colony Church voted to dissolve and unite with the other. Some individuals were reluctant, but all finally yielded to the apparent necessity, with no pretence of right to veto a measure, which the majority decided to be for the common good. And many years of prosperity to the united Church have proved the wisdom of the steps taken." * * *

But, as appropriately intimated, if a few persons, who were the opposing minority, had stood out for the claim of being the Pleasant Street Church, and had been so recognized, they might have been "a perpetual thorn in the side of the other Church, and a cause of reproach to the Orthodox interest there."

A Church in Portland, Me., a few years since, passed a vote by a majority to give letters of dismission, for the very purpose of *disbanding*. Of the contending minority, four or five, at least, refused to take letters. Some, it is said, never became connected with any other evangelical Church; and, if we have been rightly informed, they would have been of no advantage in any such Church. Of the manner in which some other Churches were disbanded, as one in Philadelphia, and the Chatham Street Church, with two or three others, in New York, we cannot speak particularly. The Marlboro' Chapel Church, Boston, after being much diminished, went out of existence "through mere rottenness," as some one has said, "the principle of vitality having left it sometime before its visible and utter annihilation." The same remark is probably applicable to the Free Church in Montpelier, Vt., which a distinguished clergyman of that State, informs us,—"expanded rapidly and to great dimensions; but whether it came to its end by explosion and collapse, is not so certain. It is understood to be extinct." These two last Churches are MONUMENTS *of Oberlinism and Burchardism.*

In the summer of 1844, the Garden Street and Green Street Churches, Boston, voted to unite, taking the name of "Messiah Church," and retaining their respective pastors as joint pastors of the new Church. Some in each Church were opposed to the union; and so they respectively voted, that such might have letters to other Churches, which were accordingly taken. Here, as we understand the facts, *the same principle was involved*, as in the dissolution of the Howard Street Church. If the covenant would prohibit the one, it must also the other. The union of these Churches was soon dissolved by a Council. The "Leyden Church," which afterwards occupied the Green Street house of worship, was composed of remaining members of the "Messiah

Church," and members of Rev. Mr. Towne's Church, which had been virtually disbanded. In 1848, the Church was *dissolved*, by a vote which was so expressed as to avoid the name of the thing which was done, and which was designed to be done. It was "Voted, unanimously, That all the members of this Church, ☞ in good and regular standing, be furnished with a certificate signed by the officers and clerk of the Church, in the following words, viz., 'This certifies that —— —— is a member of the Leyden Church, Joseph H. Towne, late pastor, in good and regular standing, and as such is recommended to any evangelical Church with which he [or she] may wish to unite.'"

A part of the members, and the wealthiest, wishing to *disband immediately*, had left, before the Council came together for the dismission of Mr. Towne,—being fully persuaded, that the organization ought to come to an end, and hoping by their departure to bring others to the same mind. The Bethesda Church, in Charlestown, more recently dissolved, was made to "exist no longer," by a form of action like that of the "Leyden Church." In the "Leyden Church" a very great majority, and also in the Bethesda Church, we have been told, would have been glad to have prosecuted their enterprise, and some resisted an abandonment to the last, *but were compelled* by their circumstances, to agree to a real, although not a formally expressed, *dissolution* of the Churches. The *principle* of action in both cases was the same, as in the proceedings at Howard Street; and there is no reason to doubt, that the indirect or covert *mode* of action adopted, was very much owing to the outcries in certain quarters, respecting those proceedings. And if any think, that it is any more Congregational for *a minority* to leave a Church, or threaten to leave it, in order to *compel* the majority "*unanimously*" to give and take letters of dismission, they are welcome to their opinion. For ourselves, we are as well satisfied with the action at Howard Street.

More recently still, the Chrystie Street Congregational Church, New York city, has been dissolved in express form. January 24, 1850,

A preamble and resolutions were adopted and entered on the church-minutes, setting forth the causes which have made the alienation of their property necessary, and the regrets felt at separating from their pastor and from one another, by reason of their inability to sustain public worship any longer without a church-edifice, where the gospel might be preached to the poor. Their records and other documents were ordered to be deposited in an iron box made and labeled for the purpose, and to be lodged in a suitable place for safe-keeping. The church-organization was then declared to be dissolved.—*New York Evangelist.*

In respect to the "Leyden Church" and to the general question before us, we have the explicit witness of the learned and venerable Dr. Jenks. And no man in New England is more thoroughly versed in our ecclesiastical history, or is more enlightened and considerate in all his opinions. This Church, he says, "*dissolved itself by its own agreement*, being unable to sustain public worship in the house which had been purchased, and which was sold to an Episcopalian Society." "From *the dissolving Church*," he took a letter of dismission, as he did when the Garden Street and Green Street union was dissolved.

In the whole course of these painful transactions, says Dr. Jenks:

There was no question raised as to power. It was a providential state of severe trial, and so regarded. We generally thought, or rather, perhaps, it was generally assumed, that, if persons could associate and become embodied as a Church by their own voluntary act, they were able, on mutual agreement, to separate again,—provided, in the latter case, that no members should be oppressed or injured, but be duly transferred to other Christian bodies; and that, for the peace and harmony of the Churches of Christ in special denominational fellowship, the measure were sanctioned by a regular Council.

As to the necessity of perfect unanimity in such cases, I should not esteem it absolutely essential. It seems to me sufficient, that the majority of acting members, properly notified, agree to act in the case, without imposing on the Church the task of consulting habitual absentees, who may be non-residents, as often occurs; *or subjecting themselves to intolerable difficulties, because of the dissent of a small minority*—due reference being always had to the requirements of Christian courtesy and kindness.

We could give other testimony of similar character. If such facts, however, and such expressions of sentiment will not suffice for conviction of those, who differ from us in our views of the rights of Churches, acting by their regular majorities,—it would be of no avail to add to their number. It must at least be conceded, we think, that if we are in error, we are not alone. And it is our happiness to believe, that we may say in regard to our brethren who have so assailed us,—"THEY THAT BE WITH US ARE MORE THAN THEY THAT BE WITH THEM." And a higher satisfaction is ours also, that our position is both unmoved and immovable.

§ *The relations of the Tabernacle Church and the Essex South Conference, to the Howard Street minority.*

Immediately after the dissolution of the Howard Street Church, a portion of the members applied for admission to the Tabernacle Church. Some of these had taken letters, before the act of dissolution. Others brought testimonials according to the vote of May 4, 1847. The Tabernacle Church has been accustomed to yield a most respectful deference to the proceedings of a Mutual Council, like that whose advice had been followed by the Howard Street majority. With but few exceptions, the members coincided in opinion with the Council; although it is believed, that there was not one who did not regret and deplore the causes of the subsequent vote of dissolution.

It was well known, also, that the majority at Howard Street had taken such measures, as Proprietors of the house of worship, as implied a full purpose to put an entire end to the organization, ecclesiastically and legally. The very next day after the Result of the Mutual Council had been made known, was the day for the annual meeting of the Howard Street Proprietors, for the choice of Standing Committee, Treasurer and Collector. But no Committee was appointed to supply the pulpit, neither was any money appropriated, as the law requires, to defray expenses;—*it being understood as the wish of the Proprietors*, that the house should be closed, agreeably to the advice of Council. This, it may be noted, was nearly *twenty* days before the vote of the Church to dissolve. For other facts, we will refer the reader to the Appendix of this Review, simply adding, that it was firmly believed,

that all the affairs of the Corporation would soon be arranged for a legal and final settlement.

The circumstance, that a minority of the Church had opposed the proceedings of the majority, was of little account. They were not the Church. And there was no good reason to recognize *their will*, as the true voice of the Church, any more than there would be at any other time, or in regard to any other subject. They had indeed commenced the public assertion of their claim to be considered *the Church* undissolved. But being few in number,—the majority of these having but very small pecuniary means, not owning more than a fifth part, *if more than a sixth*, in the house of worship,—their endeavors to sustain themselves were, of course, regarded as impracticable and visionary. Whatever they might themselves profess of confidence and hope, was generally treated by all considerate and judicious people, precisely as, in the commercial world, wise and honest merchants are accustomed to treat the promises and the hallucinations of bankruptcy.

At the time now passing, representations are made, as if the Howard Street minority were abundantly competent to meet the expenses of their undertaking. *If they are*, then must it be true, that there is not a single Church in Massachusetts, which ought to receive aid from the Massachusetts Missionary Society. But what is the *real truth* in the case may be inferred from a single fact. The rules of that Society require that at least *one per cent* shall be paid, upon taxable property, before any Church shall be aided. By those rules, all the known reliable members of the existing Howard Street Church, so called, would pay less than one hundred dollars! It is doubtful, if all together would pay this amount, if now distributed in other Churches of Salem. Their taxable property is less than $10,000!

But as just intimated, if it were indisputable, that very large and substantial accessions had been made to the Howard Street minority, and if at present it could truly be said, as it cannot be, that they are well able to sustain themselves "without embarrassment," the question of the right of the majority to dissolve the Church, *would not in the least be affected.* This is a question to be settled upon its own merits; —and we are now considering the circumstances as they were, when the Tabernacle Church first acted upon the subject.

The officers of the Church had all left, or intended to leave forthwith. And of those who took the lead in the subsequent measures to establish themselves as the Church undissolved, there was scarcely a single individual remaining, upon whom any appreciable reliance would have been placed, in bearing the heavy pecuniary burdens of the Church and Society—if the Church had not been dissolved.

What then was the duty of the Tabernacle Church, in reference to applicants for recognition, from the Howard Street Church, as being regularly dissolved? How could the Church be justified in repudiating the advice of the Mutual Council of April 14th? Why should not letters of dismission and testimonial, signed agreeably to the provision of the vote of May 4th, be accepted as in order, and as valid, in every way?

Such letters *were* accepted, and members were received into full fellowship, in good faith, and with due consideration of all the circumstances. The names of five persons are recorded, as "*admitted by*

letter from Howard Street Church, Friday evening, May 28, 1847,"— at which time was held *the first business meeting, after the vote of Howard Street Church to dissolve.* Thus the Tabernacle Church decided, indirectly yet actually, in favor of the validity of the proceedings of the Howard Street Church. And whatever has since been done, by the pastor and delegates of the Church in the Essex South Conference, and by the Church as a body in relation to Ezekiel Goss, has been done in accordance with that first vote of May 28th, 1847. Every measure has been in undeviating, unfaltering CONSISTENCY with that vote!

If other Churches see fit to disregard Mutual Councils and regular church-majorities, and to encourage or connive at such proceedings as those of the Howard Street minority, they can act their own pleasure. But the Tabernacle Church, while conceding to all sister Churches the liberty of independent action, cannot but claim the right to administer their own affairs, both as to themselves and to others, according to their best judgment. "AND THIS WE WILL DO, IF GOD PERMIT," is their language, with all deference, to such Ex parte Councils as those, which have outraged all accredited principle and propriety, by sustaining the preposterous pretensions of the Howard Street minority. It may well be doubted, whether there is another Church in the Commonwealth, in which more vigilant care has been taken, that "ALL THINGS" should "BE DONE DECENTLY AND IN ORDER." This, however, might not always have been, if their successive pastors, for more than a century, had not all been men, who "feared the effects of error, more than they dreaded the perils of controversy."

If the act of Howard Street Church in dissolving was to be considered *a nullity*, then all the letters of dismission in accordance with that vote were a nullity. The members, therefore, recognized by the Tabernacle Church, were received out of order. But the Church did not so understand the case. And hence unless they had seen cause to retrace their steps, and eject those new members from their body, they could not, without absolutely *stultifying themselves*, have taken any different course from that which *was taken*, and which has been most ingenuously and uprightly CONSISTENT.

When vindicating the Church in reference to the case of Mr. Goss, it did not occur to us, that there was another and not an inconsiderable item of history, which we may introduce in this connection. Four of the members received from Howard Street were afterwards *excommunicated*, as far as could be, by those claiming to be that Church. The following communication was addressed to them.

At a meeting of the Howard Street Church, held at the Vestry, on Tuesday evening, May 16, 1848, Deacon Thaddeus Osgood moderator, it was

Voted, That we withdraw watch, care and fellowship, from the several individuals who have left this Church and connected themselves with other Churches in a disorderly manner, and that a copy of this vote be sent to them by the Clerk.

Salem, May 17, 1848.

In conformity with my instructions, I send you a copy herewith.

Yours respectfully, E. B. OSGOOD, *Clerk.*

It will be perceived, that "watch, care, ☞ *and fellowship,*" are "*withdrawn;*"—and because the "persons" referred to "*connected themselves with other Churches* IN A DISORDERLY MANNER." We can make no less of the proceeding, than an *attempt* at excommunication, although not in the highest and severest mode. If, as has been more recently pretended, it was merely meant to take the names of certain persons from the list of members at Howard Street,—why was any thing said of "disorderly manner;" why was the word "*withdraw*" introduced; or why the expression "withdraw *watch, care and fellowship;*" why any such notice sent to certain "persons" then in good and regular standing in the Tabernacle Church; and in short, why any thing thus said or thus done? The document speaks for itself. And it cannot now be explained away by those who may wish that it had never had a being. *It was never recalled.*

The proceedings of the Howard Street minority, to obtain ecclesiastical recognition, have not altered the facts or the principles, by which the Tabernacle Church were governed. It may indeed be admitted, that they may be regarded as a Church, although irregularly organized and recognized; but that they can ever be *the* Church which was dissolved, is impossible. They called a Council. Who signed the Letter Missive, which follows, we do not know.

Rev. and Beloved:—Whereas, for a year past, difficulties have existed in this Church which have resulted in the calling of two Ecclesiastical Councils, the second of which dissolves the relation of the pastoral connection with the Church and Society, and also recommended that the Church take into consideration the expediency of disbanding its organization. The result of the Council having been read to the Church, the former part, which dismissed the pastor, was unanimously accepted; a motion was then made to adopt the closing part of the Result, and by its adoption to consider the Church disbanded. This was strenuously opposed by a large minority of the members present, and various arguments were presented for the consideration of the Church, tending to prove the impossibility of thus disbanding a Church of Christ without a unanimous vote. But notwithstanding all the protestations of the minority, the vote was passed, seventeen voting in the affirmative, and ten in the negative; three of those voting in the affirmative, at previous meetings of the Church, having been dismissed to sister Churches, yet they still persisted in voting on the question, though protests were made against it. Several members, five at least, would have been present to have voted with the minority, had not Providence prevented. Under these circumstances the vote was passed, and a committee of three persons was chosen (two of whom had been dismissed at their request from the Church) to give letters of dismission and recommendation to all the members—whether they asked for them or not. This is a brief statement of facts in the case. We are deeply grieved, and placed by this vote of the Church in peculiar circumstances of trial and affliction, and need judicious Christian advice in the matter, and therefore ask you to meet in Council, by your pastor and delegate, at the vestry of the Howard Street Church, on Friday, May 28th, at 10 o'clock, A. M., and review these proceedings, and adjudicate thereon.

NOTE.—On the day appointed for the meeting of the Council, Friday, May 28th, it was decided that as the number present was not sufficient for a quorum, the time of meeting be postponed to Tuesday, June 15th.

At the above meeting Dr. Perry was Moderator.

It would thus appear from the foregoing paper, that the vote for dissolving the Church was passed *at the same time* the pastor was dismissed; that *three*, also, of the "seventeen" in the affirmative *had no right* to vote; and that "five at least would have been present to have voted with the minority, had not Providence prevented." Thus the natural inference would be, that the vote of dissolution was passed *by a minority* of the voting members of the Church. How far this is true, may be inferred from the facts which we have already presented. We will add, however, that when the person who probably is responsible for the statement respecting "the five" of the minority alleged to have been absent, was afterwards confronted by one of the majority, before the first Ex parte Council, as also in the Essex South Conference, last October, he could not substantiate the statement,—nor could it be denied, that the legitimate inference from the Letter Missive conveyed a false impression, respecting the relative strength of the majority and the minority.

Those who responded to the Letter Missive should have discouraged any attempt to sustain an organization, as a Church, or at least they should have refused to act in any other way, than as a Council when called to organize a new Church. If they had done this, much evil would have been prevented. Even the present pastor at Howard Street, some weeks before he was installed, freely conceded to the pastor of the Tabernacle, that it would undoubtedly have been the wisest and the best course, for the minority to have been organized as a new Church. He has since said, that he did not then know, that there were some pecuniary liabilities, which made such a course objectionable,—as, for instance, in respect to some legacies. But there is not a *liability of the millionth part of a mill*, which could be an objection to a new organization. And if it had not been supposed, that, *as the old Church continued*, the claimants might be able to obtain *the Church furniture*, and also secure for themselves the occupancy and ownership of the house of worship, if not the vestry,—the claim of being the old Church would never, as we believe, have been brought before any Council.

If they had wished a separate organization, and to have such allowance of the property of the Church, which had been dissolved, as they could claim in equity; if as Proprietors in the house of worship, they had asked only for what belonged to them of right; if in all things they had acted as good men, meekly and humbly desirous of promoting the gospel; and if, in view of all circumstances, a Council had seen fit to organize them as a Church,—we are authorized to affirm most decidedly, that not the slightest resistance would have been made. And because *they would not* so proceed,—is it according to truth and justice, to brotherly-kindness and magnanimity, that we, who think that they entirely erred, should be reproached and denounced as *persecutors*, and be calumniated as assuming to be "*lords over God's heritage*"?

Some of the majority were notified of the adjournment of the Council of May 28th to June 15th. Thirteen Churches were invited, of which *seven* appeared at the adjourned meeting. And of twenty-six Churches in the Essex South Conference, only *a single one* was in

this Council,—and this a Church but recently formed, and the leading members strongly sympathizing with the minority of Howard Street, in respect to the measures of *abolitionism.* And the pastor of this Church, as we can certify, was sorry that he attended. And a delegate of another Church would not have come, if he had not been misled by the Letter Missive, and had really believed, that it was a minority which had voted to dissolve the Church. We suppose, that he alone represented his Church in the Council. Twenty-six pastors and delegates might have been in that Council, and but *twelve* appeared. So that there was less than a majority of the representatives of the Churches invited,—with a bare majority of the Churches represented. Two Churches had delegates only.

Four at least of the seven Churches had been distinguished for strong abolition affinities. Rev. Mr. Lovejoy, of Cambridge, and Rev. J. Leavitt, his delegate, were among the most active, if not the most effective members of the Council. Dr. Perry, *a Presbyterian,* was Moderator, and Rev. J. Leavitt was Scribe.

The Clerk of the Church, at the time of dissolution, having been asked to give up the Records, attended, with one other member of the majority,—in hope of making some statements which would be duly regarded. Opportunity was given them to say what they pleased. But they soon found, that the minds of the leading members of the Council were manifestly pre-determined, and not to be influenced by any thing which might be said, in opposition to the wishes of those whom they came to serve. They made but a few remarks, and retired,—thoroughly disgusted by the exhibition which they witnessed. They avoided doing any thing, which should have the appearance of recognizing such a Council, as having any competency to act in the premises. They gave the Council explicitly to understand, that *they denied the right of any such body to be there.* And if they had not seen what they had, they would have been confounded by the effrontery of the Minutes of the Result, in which they are represented, as having been "*heard at length.*"

That Ex parte Council had no such representative of the majority before them, as would be inferred from their Result,—any more than the late Council had of the Tabernacle Church, or of the Essex South Conference, or of the Mutual Council of April 14th, 1847. And in all their proceedings, it was *ex parte* testimony, upon which they acted, and based their Result. They say:

The members were nearly unanimous in the opinion that it is not competent for a Church to dissolve itself by the vote of a majority, depriving individuals of their covenant rights and privileges without their consent. We are of opinion, therefore, that this Church is not disbanded, and those members that remain ought to sustain the rights and responsibilities of the Church.

"*Nearly unanimous*"! We ourselves do not think it "competent for a majority" of brethren, or *all* the brethren, "to deprive individuals of their covenant rights and privileges *without* their consent." We should not be willing to do thus,—*with* "their consent"!

They did not "ADVISE," like the late Council, that the Church "*has not been dissolved.*" But they gave an "*opinion,*" that it "*is not disbanded.*" What is *their* "opinion," when weighed in the balances,

against the "opinions" of other clergymen and laymen, who have as much of age, of experience, of knowledge, of character, and of candor, as they have? Could a "vote" of theirs *alter* a fact? Or could their "opinion" make or unmake a *past* fact? And, unless regularly *rescinded* by the act of the body which passed the vote, by what means, we would fain know, can a vote of an independent Congregational Church be *annulled?* That Ex parte Council, or any other Council, could no more *annul* the vote of Howard Street Church to dissolve, than a resolution of the Massachusetts Legislature could abolish the Senate of the United States.

The business of the Council occupied them a very short time. And if we may judge from what one of the leading members said to ourselves, at another day, it was not deemed at all necessary to investigate any facts, in "adjudicating" such a question, as whether a majority can dissolve a Church,—a question, as he seemed to view it, for intuitive decision, and which any one in our Churches could settle in the twinkling of an eye,—provided, however, *his "opinion" was in favor of the Howard Street minority.**

From the Result we should not expect to learn who the members were, that prevented the Council from being "unanimous." But it is not out of place for us to say, that the moderator himself said, in private, to a member of the majority of the Howard Street Church,—*"There is no doubt that a Church can be dissolved, and by a majority too; but you did not go the right way to work"!*

Now, we believe that we here have the explanation of almost all, if not all, the excitement in behalf of the Howard Street minority, and against those, who cannot in conscience sustain them. The independent or abstract question of the right of a Church to dissolve, is not examined or judged upon its own merits; *but the particular case of Howard Street Church is taken,* and, *in a false view of the facts,* the question of the right of dissolution in *any* case, is decided in the negative.

After adding the "opinion," that the "members that remain should humble themselves before God, and confess their faults one to another, and pray for one another, until they come to be of one mind, so that the Spirit may come down upon them from on high as in times past,"—upon all which we leave others to make comments,—the Council close by saying:

Voted *unanimously* that the above be accepted as the result of this Council. JOSHUA LEAVITT, *Scribe.*

Thus the final vote of the Council was in character with the proceedings throughout. Upon the main point at issue, which they misrepresent, as we understand it,—they "*voted unanimously*" that they were "*nearly unanimous*"! †

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* It was the same member, who made a motion, that the late Clerk of the Howard Street Church *be required to give up the Records to the Council!*

† Some much younger men—insurrectionary students of a certain college, in the full spirit of putting down the Faculty,—we believe they were a little beyond their second year,—passed a resolution, which began with the words, "*Resolved, unanimously.*" Such a fact was deemed most unaccountable by their elders. Upon inquiry, it was found, that the words in question were *so written* in the reso-

Such were the circumstances and the manner of the recognition of the minority of Howard Street Church,—as being the Church undissolved. We are not conscious of omitting a single fact or item, of which the reader should be informed, that he may judge properly of the proceedings of this first Ex parte Council, upon which has since rested the confident and unyielding claim of that same minority to all the privileges and immunities of every description, which belonged to the Howard Street Church, previous to the act of dissolution. We have felt bound by every principle of reason and rectitude, to reject the claim and to declare against the validity of the whole procedure.

It is an idle and frivolous pretence, that the Council was not *Ex parte*. But it either was, or it was not. If *it was*, then was the action irregular and nugatory; because *no request had been made to the majority*, to unite in a Mutual Council. And such a request was imperative and indispensable, *if the Church was not dissolved.*

If, on the other hand, the Church *was* dissolved, then the Council, by whatever name they may be called, *had no right there*, for any such purpose as that stated in the Letter Missive, viz: "to review those proceedings and adjudicate thereon." By all the accredited principles and usages of our Congregational Churches, they had not a shred of written law for a commission, nor a hair's breadth of the Platform of 1648, as a foundation for their pretended "adjudication" of the controversy in Howard Street Church. "*Adjudication*"? Our true Congregationalism revolts at the term, and absurdity itself is all but ashamed to own the misnomer.

Was then the Tabernacle Church, and every other Church, to acknowledge the Result of such a Council, as *rescinding* the vote of Howard Street Church to dissolve; and was the mere "opinion" of a Council, so partisan and predetermined, so uninformed and blinded, to coerce hundreds and thousands away from truth and reason and common sense, into a repudiation and reprobation of the deliberate judgment of a Council from our own immediate neighborhood,—a judgment formed after days, nights, and even weeks, had been given to a consideration of all points involved in the merits of the Howard Street question? If so, we can never regard any question as settled; and can never have any assurance, that any controversy is put at rest. Better at once dispense with all Councils, and forever abandon all idea of Congregational order. "We have not so learned Christ." And it was among the earliest lessons, which we received from our "tutors and governors," that *anarchy is the worst of all governments.*

We will pass by the unauthorized proceedings of the minority, in respect to the house of worship, and omit all notice of other transactions which were well known, when, in October, 1847, two members of that minority appeared at the meeting of the Conference, at Swampscott. They came, as if the Church had not been dissolved. Objection was made; and after some remarks, it was voted that the claims of the brethren from Howard Street to a seat in the Conference, be referred to a Committee, who should report at the next annual meeting; and meanwhile, that the brethren be allowed to make a commu-

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lution as offered, and the resolution was then clamorously passed *by the majority.* See also a precedent and an apology for the Council, in our Appendix.

nication concerning the state of religion among them. In less than one hour, the members were compelled to listen to a professed review of the doings of the Mutual Council and the action of the majority,—in which persons present were reproached in terms of great asperity and bitterness. And such was the principal part of the narrative of the state of religion in Howard Street! Here began the systematic series of assaults, which we have had to meet or to endure.

At North Danvers, October, 1848, the Committee of the Conference presented a report. It was drawn up with much carefulness, and in its whole manner and spirit was kind and Christian. But it was adverse to the claim of the delegates from Howard Street, who were again present to urge their demands. Meanwhile much effort had been made to awaken sympathy in their behalf, as if they had been tremendously wronged and persecuted.

During the debate of two hours and a half, one of the delegates spoke, four or five times. All the regular business of the Conference was put aside, for the forenoon. And that the whole object of the meeting might not be lost, it was voted to take the question upon the adoption of the report, at half past twelve.

There were a few more than forty members, who gave their names as in attendance, during some part of the meeting. Of these, about thirty,—perhaps a few more,—were present at the vote, which was seventeen to ten, for the adoption of the report. Some were not prepared, on either side.

It was noticeable, that not a single minister made an argument against the report; although two or three objected to the action of the Conference, or expressed doubts concerning the measure. And of *twenty* settled pastors, who then or afterwards gave their opinion, FOURTEEN were and continue to be, fully and most thoroughly, *of one mind and heart*, in reference to the validity of the vote of the Howard Street Church to dissolve. The doings of the Ex parte Council in June, 1847, were less regarded than "a dream when one awaketh."

In this action of the Conference, there was no thought of any *legislation* for the Churches, or of any exercise of power in controlling the Churches. The Conference merely decided a question of membership. And if the Conference has not the right to decide such a question, like other associations which receive members by vote, we know not what right any association can have, to exclude any persons, who claim to be members. If the Howard Street Church, instead of voting to dissolve, had voted by the same majority, or a "*bare* majority," to *withdraw* from the Conference; and if then, *delegates* from the minority had appeared, claiming a seat, as the representatives of the Church,—*could the Conference have admitted the claim?* How much less, then, the claim, when the majority had voted that the Church was dissolved, and no longer existed?

The subject should never have come again before the Conference, until there should be some cause to believe, that the major part of the members had altered their opinions, or some new light was to be imparted. But it was brought again, at the October meeting in Ipswich, in 1849.

A pastor had now been installed at Howard Street, and some members of the Conference had taken part in the services. The installing

Council had proceeded *on the assumption*, that those claiming to be the Church in Howard Street *were* the Church. This question was not at all moved in the Council. And of course no testimony and no argument could have been furnished by the examination of the pastor elect and the services of his installation, that could determine whether it was competent for the regular majority of Howard Street Church to dissolve that Church, two years previous. A falsehood is none the less false, because it has been insisted upon as truth, nor an absurdity any less absurd, because it has received countenance and sanction.

A motion was made at Ipswich, to reconsider the vote at the annual meeting previous. This was declared to be out of order. A motion to *rescind* the vote would *not have been* out of order, although entirely out of season. An appeal from the decision of the moderator was not sustained.

After a very urgent solicitation of the courtesy of the Conference, and remarks showing that a motion for reconsideration would not annul the vote of the previous year, some members yielded the point of order so far as to consent that the motion should be entertained, and that the mover, who, by a severe infirmity, had been kept from the meeting in North Danvers, might have the opportunity of speaking upon the subject.* He then read an argument against the right, *either of a majority or of a whole Church*, to pass a vote to dissolve. This was the first and the last *clerical* argument from members of the Conference, in favor of the Howard Street minority.

A special meeting was held a few weeks afterwards, by general agreement, and in hope that by a full discussion and a fair vote, the question might no more be allowed to interfere with the exercises and objects of the Conference. After about nine hours of debate, nearly a third part of the time being occupied by delegates who were in favor of the Howard Street minority, and another third part by their present pastor, the motion for reconsideration was lost. The vote was, yeas, 26, nays, 26.

It having been decided to take the vote by Churches, *the First Church in Lynn was the first that was called by the scribe.* Ought the pastor, *because* moderator, *to have declined voting?* He was entirely ignorant of what the result would be. And if he had not been, who, that is worthy of the least respect, would question *his right* to vote, and the perfect *propriety* of his voting? Surely the Church in Lynn was not to be in part *disfranchised*, because the pastor had been placed in the Chair of the Conference. And yet it has been most offensively objected against that pastor, that he gave a vote, which has been represented, as if "a casting vote," and sometimes has been so called! If now, when he responded to his name, and gave his vote, there had been a single member of the Conference, who thought him to be out of order in thus voting, why were all silent?

About two hours before the debate closed, the pastor at Howard Street offered a proposal to the Conference to unite with him in calling a Mutual Council to consider the whole case of the Howard Street

* On taking the question, a second time, the vote, as recorded by the Scribe of the Conference, was thirteen yeas and twelve nays. So that it was by a majority of *one* only, that the subject was again opened for discussion.

Church. No member of the Conference, on either side, responded to the proposal, and, therefore, the discussion proceeded.*

But how could such a Council be chosen by these parties? Could the two parties in the Conference be represented, without giving the majority to Howard Street, if the Howard Street pastor should choose his half of the whole? With the two parties in the Conference, and a third party without, how could a *Mutual* Council be possible? Besides, if such a Council *could be* chosen, what imaginable benefit could now be anticipated?

It has been said, that, if some members had not left the meeting of Conference, before the vote was taken, the motion for reconsideration would have been sustained. We are persuaded, that this could not not have been true, if all the Churches had been justly represented. We are sorry to be obliged to say, that in all this unhappy controversy, there has been quite too much evidence of a kind of *management*, which can never do honor to those professing to be of the "kingdom" which "is not of this world," and which it is impossible for the Great Head of the Church to approve and bless. But if the whole subject, with all the facts in the particular case of Howard Street Church, could be laid before each Church separately, and the vote of each Church could be taken, we very much mistake the character of our Churches, if more than two-thirds, if not three-fourths, would not heartily concur in the principles and views, which we have deemed it our duty to Christ and his cause, to defend and advocate through "evil report and good report."

But as in a political assembly, where votes are often carried by the successful devices of a partisan spirit, and not by the enlightened, conscientious convictions of rectitude and beneficence, or the general welfare, so, unhappily, in such ecclesiastical bodies as our modern Conferences of Churches, there is no security, that a mixed and exciting question like that pertaining to Howard Street Church, will be considered and decided, upon the broad principles of truth and justice, purity, peace, and love. Least of all can it be expected, we must add, that such a question will be so considered by *an Ex parte Council*, carefully chosen on the principle of some powerful elective affinity.

The late Council have "*looked into*" the "proceedings" of the Conference, as they tell us.

It is suggested by the Tabernacle Church, as a reason for not granting the request of brother Goss, that the Essex South Conference had refused a seat to the delegates of the Howard Street Church, on the ground that it had been dissolved by vote of a majority of the Church. We have looked into their proceedings, and find that such was the case. But this Council does not perceive that weight should be given to this suggestion. We cannot agree that the orderly standing of a Church, recognized as such by neighbor [?] Churches in Ecclesiastical Council, should be impeached in this way. The objects of these Conferences are mutual improvement and instruction, and union in prayer and action, in favor of weak Churches: "they expressly disclaim all interference in the rights of particular Churches, and they exercise

* Immediately after the final vote was taken—it being near ten o'clock in the evening—a motion to dissolve the meeting was made and regularly voted. There was some confusion, in the midst of which we heard Mr. Wilder say, that he would renew his proposal for a Mutual Council. But the time had passed.

no acts of authority or discipline." Attempts have been made to confer upon these bodies consociational powers, but it has been fully ascertained that no such change can be admitted into the ecclesiastical polity of this State.

The magisterial air of this paragraph, is quite in character with the Result as a whole. The historical correctness of the last sentence, we have no time to verify or disprove. Four or five pages follow, upon which we shall withhold nearly all the comments that we had purposed to make. So far as we can obtain any definite idea from such a medley of we know not what, we entirely reject every imputation and insinuation, relating to members of the Essex South Conference, as exercising or wishing to exercise "*Consociational*" powers and prerogatives.*

Our patience, we are quite sure, would be under strong temptations, if we were to examine minutely some of the statements and reflections of our brethren on this particular point. Their *learning* is not any too profound or accurate. If they wish us to be more explicit, we would just say, that before they again refer, as they do, to Dr. Emmons, they may do well to read his Sermon, on the PLATFORM OF ECCLESIASTICAL GOVERNMENT ESTABLISHED BY THE LORD JESUS CHRIST. We commend to their special attention, what is said of "every Church" as "formed by its own voluntary confederation." (Works, vol. v., pp. 452, 4.) Dr. Emmons, as it is well known, had little confidence in any kind of association, which should be intrusted with ecclesiastical authority.

All ecclesiastical authority comes from Christ, and not from any particular Church or Churches. One Church has as much power as another. All Churches are sisters, and stand upon a level. They may associate or consociate for mutual advantage. But no Church have a right to give up their power to an Association, or Consociation, or Council, or any other ecclesiastical body. Churches have no right to unite for the purpose of concentrating and increasing their ecclesiastical authority. An Association, or Consociation, or Council, have no more power than any single Church of which those bodies are composed. * * * Congregationalists often complain of Presbyterians, Episcopalians, and Papists, on account of their church-government; but they have no reason to complain; for they act precisely upon the same principle, when they concentrate and increase their ecclesiastical

* Among the eminent men, who felt the necessity of some such system as that of the Consociation of the Churches in Connecticut, in order to protect the Churches of Massachusetts, were Lyman Beecher, D. D. and Samuel Worcester, D. D. Writing to Dr. Beecher, under date of February 9, 1820, Dr. Worcester explains the principal difficulties to be encountered, and declines attempting what had been proposed.

"Two of the most mischievous demons of New England are Jealousy and Envy; they have scarcely less possession, it would seem, of Christians, than of the men of the world—of *ministers*, than of the most ardent aspirants for secular preferment and distinction. And they are of a kind, I am ready to believe, that go not out by any means less efficacious or less mortifying to what naturally dwells within us, *than fasting* and prayer. At the time of our deliberations at Northampton, I did entertain the hope that a better spirit had attained to such a prevalence, or that a sense of the importance of uniting for the security and promotion of the common cause had come to be so extensively and so clearly felt, that a plan, such as we then thought proper to propose, would commend itself to general acceptance and favor. But by the trial which has been made of the state of feeling, I am convinced that the plan is not feasible; at least it will cost more than it is worth," &c.

power by union with Associations, Consociations, and Ecclesiastical Councils. When any Church gives up its independence to any other ecclesiastical body, it gives up all its power. But Christ has given no power to Churches, which they may give away. Congregational Churches, at this day, ought to be on their guard, and strenuously maintain their independence.

It appears from the very nature of church-government, that there is no appeal from the authority of a particular Church to any higher ecclesiastical tribunal. Every Church have a right to transact all their ecclesiastical matters, independently of any other Church. When they undertake to discipline a member, they have a right to pursue the steps which Christ has pointed out, and continue the process until they have brought the matter to a final conclusion.

Would it be a very difficult problem to determine, what the "Sage of Franklin" would have said of such "*adjudication*" as that of the first *Ex parte* Council at Howard Street, or of the archiepiscopal decrees, under the name of "advice," which have been sent forth by the Council of December, 1849? And as our brethren seem so perfectly assured, that they have settled the Howard Street question and the case of Ezekiel Goss infallibly,—we commend to them Samuel Mather's "Apology for the Liberties of the Churches of New England," and more particularly his proofs, "*that whole Synods and General Councils are as liable to deceive and be deceived,* and imposed on, as particular Churches."

While reasoning against the danger to be apprehended from an abuse of power by Conferences, we should have supposed it would have occurred to our brethren, that there were some things which could be said of Ex parte Councils, not very flattering to their self-complacency. If we do not entirely misapprehend them, they regard an Ex parte Council as one of the happiest of all provisions or instrumentalities, for promoting the order of our system. They seem to have a conception of it, very analogous to that of the Tarquins at Rome, in respect to imperial power,—*rei inter Deos hominesque pulcherrimæ.*

Ex parte Councils were suggested by difficulties, for which in *extreme* cases, if properly regulated, they may furnish some relief. But our brethren should not have quoted Mather, Upham, or Punchard, after violating every cardinal principle and rule advocated by these writers, relative to such Councils. The last writer would entirely reject the doctrines of their Result. We know not the opinions of Prof. Upham. At the very highest point of value, an Ex parte Council is but one or two degrees above *a choice of sore evils.* And a more disastrous, if a more detestable scourge, could hardly be let loose upon our Congregational system, than the frequent and reckless gathering of such Ex parte Councils, as those at Howard Street.

The reference to the *Third Way of Communion,* as if by this method the Churches ought to deal with "the questionable Church," and the Conference do nothing, unless they would unite in a Mutual Council, is another very notable lesson to us from the wisdom of this Result. Why did not some of our brethren try the experiment themselves upon the Church in Reading? We should like to see whether the Salem Street Church, Boston, could now lead off against the Tabernacle Church, as did the "Second Church," in the case of the First Church in Salem, of which the Council probably knew but little, and

the like of which it would require some "original investigations" to find. It is almost "solitary and alone," and ever will be. We can scarcely imagine, that the Council were serious in what is said on this subject. If it had not been for the aid of the civil authorities, which could not now be had in any case, enforcing the excision of a major part of the First Church in Salem, in 1735, the Result of the Council would doubtless have been an entire failure.

Increase Mather, in his little work, "The Order of the Gospel," alludes to a certain case, in which a church-member complained of hard treatment, and appealed to "Neighbor Elders."

The pastor and major part of the Church were not willing the case should have a re-hearing before the Elders and Messengers of other Churches. Upon this, great clamors were raised, and prejudices taken up against the Congregational discipline. Mr. *Cawdrey* got this story by the end, and in his *Epistle to the* Dissenting Brethren, he says that a minister in *N. E.* writes over to *England*, that this injured person would have *no remedy until the Churches in New England were become Presbyterians, and that if Independency does not break all the Churches in New England excepting a few semi-Presbyterian, some are deceived.* Who the minister was that wrote thus to *England*, Mr. *Cawdrey* tells us not. But it is a great wrong to the Churches of *New England*, and to the way *Congregational*, to represent them, and all that are of *that way*, as being of such *Independent and unaccountable principles*, which they utterly disclaim.

It is evident to us, that our brethren, in all which they have said of the proceedings of the Essex Conference, "*got this story by the end*," like "Mr. *Cawdrey*"; and "it is a great wrong" to represent us to the world, as holding "*unaccountable principles*," which we "utterly disclaim." But whatever they may think of us, or say of us, they may be assured, that we shall endeavor to STAND *fast in the liberty wherewith Christ hath made us free.*

From the manner in which the Result comes to its "conclusion," it is a moral certainty, that the writer or the writers must have been profoundly ignorant of the history of Howard Street Church, and of the actual position, reputation, resources, and ecclesiastical prospects of those now claiming to be that Church. And a greater mistake could hardly have been committed, than in representing a part of the ministers and Churches of the Essex South Conference, as wishing to CRUSH the Howard Street Church,—a representation which is made in the same breath with the statement, that, "it is admitted by *all*, that a Church, and the worship [?] and ordinances [?] ought to be sustained in Howard Street." But when it is said, "it seems to the Council that all the Churches must feel interested to keep this Church in their community, and that scarcely a greater cloud of grief could come over them than would come by the extinction of this light,"—we must respond in truth and soberness, that, if they had deliberately intended a solemn burlesque of the whole subject, they could not have taken a more effectual method to accomplish their design.

In conclusion, so far is this Council from yielding to the reasons assigned by the Tabernacle Church for denying the request of brother Goss, founded on the objectionable standing of the Howard Street Church, that it considers this Church, if not *primus inter pares*, as an ancient Church, yet, at least, an *equal*, entitled to the sympathies and the affections, the help and the encouragement of all the Orthodox Churches in this community. And more especially should they have our sympathies and our prayers, if not our thanks, for the stand which they took in favor of the holy covenant,—not consenting to *break*, but contrariwise inflexibly determined to *keep* it, "to hold it fast and not let it go," thus setting an example of integrity and fidelity in the midst of trials, "perils of [?] brethren," and formidable opposition without and within, holding up, as a standard, the ancient covenant of our fathers, and calling upon all the Churches to look at it as the great charter of all the Churches of our order throughout the Christian world.

Leaving our right of remark upon the "*primus inter pares*," and the oblique admonition to the Tabernacle Church, as if claiming too much deference, because the most "ancient" of the Orthodox Churches in Salem,—we are not a little perplexed by that "ancient covenant," which is "*the great charter of all the Churches of our order throughout the Christian world.*" What do the Council mean by that "ancient covenant," which those now at Howard Street have been "*holding up and calling upon all the Churches to look at?*" We have conjectured that they must have had in mind the covenant of the First Church in Salem, commonly published as the first covenant, or that of sixth of August, 1629,—but which was a special covenant adopted in 1636,—mainly, it would seem from internal evidence, in view of the disorders occasioned or caused by Roger Williams. Are any of the Council sure, that they ever saw the *first covenant* of that Church? And would they indeed have the Churches give "thanks" to the minority at Howard Street, "for the stand they took in favor of the holy covenant," while yet if they had simply concurred with the majority—the Council themselves being judges—then there might have been an "*extinction of this light*," without the least degree of alarming apprehension of that "cloud of grief," a "greater" than which "scarcely" could now "come over all the Churches!"

"What possible interest," the Council also say, "or valid reason can there be, that the Church there should not stand on its ancient foundation, and preserve and show forth its ancient name and its ancient covenant? Do any covet its name?" We respond to our brethren, and inquire of them, if they know any thing at all of the import of these questions? And if not, was it wise to "utter that" which they "understood not?"

☞ "Its ancient foundation"? The only "ancient foundation" of which the inhabitants of Salem ever heard, as connected with a Church in Howard Street, was laid,—we would inform our brethren, —not in the seventeenth, nor yet in the eighteenth century, but on the twenty-ninth day of December, 1803!

The Council speak of the "ancient name" of Howard Street. And "do any covet its name?" "We are not so advised," they tell us. We presume, that they are correct. They do not mean, we suppose, the name of "Branch," or of the "First Presbyterian Church," but that of "Howard Street." And how "ancient" is this? *Very*

"ancient." On the fourth of May, 1847, it was exactly *eighteen years and eleven months* "ancient," or one score, minus one year and one month!

And what shall we say of "*its* ancient covenant"? On the twenty-fifth of March, 1815, the Church, which at the first was *Congregational*, like the Tabernacle from which the founders had proceeded, by way of the First Church in Rowley, became PRESBYTERIAN, and adopted *a new covenant* accordingly. This, we think,—*this second covenant* of the members, in less than twelve years,—would hardly be recognized by the late Council, as "*the ancient covenant of our fathers.*" We have no reason to doubt, that the first covenant was taken as solemnly, as any other similar covenant ever was. But not one of the members could ever have had an idea of its being "the great charter of all the Churches of our order throughout the Christian world." So the living would testify.

The Church, of course, was the same ecclesiastical organization—the same identical body of believers—under the Presbyterian, as under the Congregational form of administration. It was called the Branch Church; until, with a hope of neutralizing, if not burying some untoward associations and injurious popular impressions, the members, in 1824, took the name of the "*First Presbyterian Church in Salem.*" *

In April, 1828, *the Presbyterian covenant*, with all, in general, that pertained to the peculiarities of Presbyterianism, gave place to a *third* covenant, and that a new *Congregational covenant.*

We have said, that the Presbyterian covenant of 1815, which lasted about thirteen years, with all, *in general*, that pertained to the peculiarities of Presbyterianism, gave place to a new, and a Congregational covenant. We have thus said,—because of "*a significant fact.*" There was a minority which strenuously contested the proposed change. And they remained in the Church, by a special provision in their behalf, which, in case of disciplinary process affecting any of them, *secured to them and their families* the right of trial, according to the rules and method of Presbyterianism! If they could, by any possibility, they would have prevented the change from Presbyterian government and connections. Ought the majority, or the minority, to have prevailed?

But there have been some more covenants at Howard Street. The covenant of 1828, gave place to a new covenant, very carefully prepared during the ministry of Dr. Cheever. And this was thought to be so defective by his successor, Mr. Torrey, that it was "fit only for the burning;" and by him the only copy in existence *was* BURNT UP!! This was in 1838. For some days, at least, the Church *had no covenant*, to which they could refer, as the bond of their brotherhood and fellowship. A new and the *fifth* covenant was prepared. And this, according to the Council, must have been their "ancient covenant." Very "ancient," truly. It must have been adopted nearly or quite *nine years*, previous to the dissolution of the Church in 1847!

* It was probably forgotten, at this time, that the Tabernacle Church had been *Presbyterian*, from 1769 to 1784; though not connected with any Presbytery, until the summer of 1774. The coincidence of an *interregnum*, or rather, a *regnum* of Presbyterianism, in both these Churches, is somewhat remarkable. A similar example is furnished in the history of one of the Newburyport Churches.

Do any covet its property? We know not; we suppose it is not rich in this world's goods, but hope it is "rich in faith," and if it is a trustee for its poor, we hope "they will not be sent empty away."

Did the Council know what they were saying? Whence their occasion for such suggestions respecting "property"? Did they mean to insinuate, that the *majority* of Howard Street Church wished to *defraud* the minority? If not, what *did* they mean? They had before said; "having *seceded* [?] and not continuing to worship with the Church, they had voluntarily abandoned all right to its property, whether it continued, ecclesiastically, to be a Church or not." "*Voluntarily abandoned all right to its property*"! And that too, "*whether it continued, ecclesiastically, to be a Church or not*"! Is this *truth*, and is this the *morality* of the Council? Let no one of them again ever open his mouth, on the subject of the *wrongs* of the "exiled churches" of Massachusetts.

In a corporation of five persons, if four agree to dissolve, is the fifth entitled to hold all the property? By what law of righteousness or of Christ, then, can the Howard Street minority claim the church-furniture; or as proprietors, owning a sixth part of the whole number of pews, how can they be entitled to occupy the house of worship, against the voice of all the rest? One individual alone, of those who agreed to the dissolution of the Church, owns as much in that house of worship, as *all the minority* together! And do the Council think, that he and the others, owning forty-five pews out of sixty, which were held as private property, have *forfeited* all right and title to that property? So it must be, if the minority can justly claim the church-furniture. And is it said in reply, that it is competent for proprietors to sell pews, upon which taxes have not been paid? Be it so. But *who are the proprietors*, and *who* have the *authority* to assess taxes upon the pews in the Howard Street house of worship? We may be thought to speak too freely, but we are willing to say to all the world, that for ourselves we are completely shocked at the sentiments of the Council, in relation to the right of property at Howard Street; and should as soon have expected from them an open vindication of embezzlement or burglary.

"Trustee for its poor"? *The Howard Street Church*, on the day of the vote of dissolution, *did not own a dollar of property;* and never *did* own a dollar of property, *as* "*a trustee for its poor.*" There was a legacy given to "*the Corporation of Proprietors of the Branch Society*," amounting to upwards of five hundred dollars, the interest of which was to be given to the poor of the *Congregation;* and for that legacy the *Proprietors of the house of worship, and not the Church, are accountable.*

A *new* organization, under a different name, it has been pretended, would expose those now at Howard Street, to a suit for damages, from heirs of legatees. The legacy to which we have referred, was given, it will be seen, when the Corporation and Church were called "Branch," and not "Howard Street."

"Trustee for its poor"! If there are any "poor," whose relief or solace is dependent or contingent upon funds now in trust at Howard Street, they may as well receive the contributions as the written sympathies of the late Council.

We would deal both "kindly and truly" with those, who affirmed before the late Council, as we are told, that by some effort and personal sacrifice, there would be not the least difficulty in sustaining themselves as a Church,—and impliedly, at least, an efficient organization. To most persons in Salem, such a statement is proof conclusive of absolute presumption and infatuation. A man who has not a dollar in the world that he does not owe, beside owing hundreds which he has no visible means of paying, might just as well say, that he can support a family with entire ease and perfect honesty. And those who derive a material part of their maintenance from subscriptions or gifts of charity, however fraternal or genteel, or who depend largely upon creditors, whose just demands they have no ability to cancel,—are not ordinarily regarded as in very flourishing or very desirable circumstances.

Of one thing, however, we are very certain. Those at Howard Street will need something more substantial, than the aid afforded them by Ex parte Councils, however imposing in numbers. So far is it from being the truth, that "it is admitted by *all*, that a Church *ought to be sustained* in Howard Street," the sober fact is, that if all those in Howard Street were to leave the place to-morrow, and the house of worship there, with the vestry, and all that belongs to the original Howard Street organization, in the form of church-plate or any other property, were advertised to be given up, without money and without price, to any new Congregational Church of twenty respectable male members, who would "covenant" to sustain worship there, and never to use the property for their private advantage,—there is not the slightest good reason to suppose, that the first *ten*, if the first *one*, could be found, who would be willing to accept the gift! And as things now are, there is as little of probability, after all that is said in the "Result," that a single lay-brother of the late Council would join himself to the existing organization,—were every one of the fifteen to remove to Salem, with a purpose of there residing until the last hour of life!

It certainly ought to be considered a question of some importance, whether an organization for the purposes of a Congregational Church, has the means, present or prospective, for a permanent support. If there had been a Council called, to organize a Church out of the minority at Howard Street,—and that Council could have been made to know the simple, undisguised truth of facts,—there is not one probability in a thousand, that such an organization would have been deemed expedient or suitable; unless that Council had been composed of men, in whose judgment the Churches generally would be very slow to confide.

The innuendo, or implied accusation, that there are some, who wish to "*crush*" those at Howard Street, could never have been written with a true knowledge and a just application of facts. And it is somewhat too great an imposition upon ordinary patience, that they who have acted in honesty and uprightness, with the certain consequence of being traduced and maligned, should be so injuriously represented by respected and beloved brethren abroad, from whom a different treatment ought to have been received. Even some in Salem, whose names have undoubtedly had the greatest influence in sustaining the

course of the Howard Street minority, have not hesitated to say, that the Church at Howard Street ought not to be dissolved; *because such an organization is of great advantage to the peace of other Churches in the city!*

For several years previous to the vote to dissolve, the apprehension had been felt, and was frequently expressed by some of the worthiest members, that the inevitable result of such violent proceedings and speeches as those of a portion of the minority, would be the dissolution of the Church.* And if the public knew but a very small part of what might be told of the scenes which have been witnessed in many church-meetings, and of the language used in respect to the pastor, as well as to brethren of the Church, they would not marvel at such apprehensions; but would rather account it an amazing mystery of endurance, which enabled so many to persevere as long as they did, in their self-sacrificing exertions to sustain the order of the gospel at Howard Street.

§ *Concluding Remarks.*

Our examination of the views of the late Council, as it respects the proceedings of the Tabernacle Church, and the right of a majority to disband a particular local Church, has occupied much more space than we had anticipated. But one line of error may require many pages, or even a volume, for a suitable correction. We should have been glad to say less of the case of Mr. Goss. Much easier and a far more pleasant labor it would have been, to present our own views affirmatively, instead of defending ourselves and refuting the arguments of our opponents. We feel that we have been injuriously treated, and really aspersed. We have been held up to the public, as "radical reformers;" as inventors of "a new instrument of destruction" to the Churches,—and as advocating "the right of a majority not only to destroy their own rights, but also to PLUNDER OTHERS OF THEIRS."

These are a part of the charge against us. And now what have we done? What sentiments do we hold, that should "fill" our brethren "with undissembled wonder and astonishment"? In the foregoing pages, the reader has the means of judging, whether, as Congregationalists, we have any "new doctrine" or "novel theory;" or whether we have committed any thing "worthy of death" to our ecclesiastical reputation and our ministerial influence.

Most of our examination of the question, whether a Church has a right to disband by vote of a majority, has been conducted upon the principle of *argumentum ad hominem.* And we think that we have effectually shown, that, upon the admissions of the Result of the late Council, *all the objections* which they have urged against our claim of right for majorities, and which are of any weight whatever, lie with

* We allude to such, for example, as will be remembered by those, who were present at the meetings in April, 1844, when such an effort was made and repeated to obtain a vote of the Church,—"that the Collectors chosen for Foreign Missions, take subscriptions of all who may be disposed to contribute to the Union Missionary Society, and forward the amount contributed, to the Treasurer, in the name of the Howard Street Church."

equal force against the method of extinguishing a Church, which they themselves consider the only proper method, according to our Congregational system. We assent to their method of causing a Church to cease, as being strictly Congregational; but we also maintain, that it is equally Congregational for a majority to *dissolve* a Church. We contend, nay more, we do know, that the former method is no more prescribed in the Platform, or in any "Ratio Disciplinæ," than is the latter.

The Scriptures, as we understand them, *are silent*, as to any express direction or witness upon the vital points involved in the present discussion. If it were otherwise, we think that our brethren would not have been slow in referring us to the "law and the testimony," in the Word of God. Let them now, if they can, adduce a single sentence from Moses and the Prophets, or Christ and the Apostles, which forbids the dissolution of "a particular local Church." If it be *so easy* a work for them, as they give us to understand, if they mean any thing in what they say, let them put us to silence by a "*Thus saith the Lord.*" We shall be much obliged to them for a reference to the chapters and verses, which they had in mind. But we do not need their comments, nor their practical observations.

We shall not consent to be "a whit behind the very chiefest" of them, in our respect and reverence for the obligations of our church-covenants. But we insist that these obligations shall be rightly interpreted. And we claim as much competency to interpret them, as we can accord to our brethren. So far as authority is concerned, it surely is needless to aver, that no body of men has ever yet existed in New England, or elsewhere, with authority or commission to bind the members of our independent Churches to any prescriptions or ordinances of church-polity. And the late Council have entirely failed in their appeal, both to the fathers in general, and to the early covenants of our Churches, with the Platform of 1648, in particular.

As a voluntary association, a particular local Church has the same power to dissolve, as to continue its organization. The right is inherent in the very constitution or being of a Congregational Church. But the *power* should always be discriminated from the responsibility, and the *right* is not to be identified with the wisdom or expediency of its exercise.

The dissolution of a Church differs, in some important respects, from the dissolution of a merely secular association or corporation. The covenant of the members with God, as believers in Jesus, is untouched. Their title to be received into other Churches is not infringed in the least; and in proof, we need only refer to the manner in which members of the late Howard Street Church have been treated by other Churches. And as it regards "watch and care," they are practically in no worse condition, than hundreds and thousands who are members of Churches undissolved.

Still, we have been willing to argue the question of disbandment, upon the hypothesis or pretension, that the members of a disbanded Church were cast out into the world, and were "no members," as much as by excommunication. So far as they may be in this condition, so far are *they* also, who have not been recognized in other Churches, when the Church of which they were members voted unan-

imously to unite with some one specified Church, or with other Churches at pleasure. They are "no members" in the one case, no less than in the other.

In the *end* to be accomplished by a particular church-organization, there is nothing to prevent a dissolution. This end, as the Platform says,—is "*the public worship of God and the mutual edification of one another.*" If, therefore, it appears that a given organization cannot be sustained without a burden of oppressive embarrassment, pecuniary or otherwise; or if in existing difficulties, internal or external, there is no rational prospect of deliverance or essential relief,—then may there be good and sufficient reasons for the members of such an organization, to dissolve the local bonds which hold them in fellowship.

The covenant with one another is *conditional*,—sacred as it is from its intimate association with that which is made with Christ in God, and which no changes of earth can annul or essentially modify. And as each individual is bound to regard the general good of all, the greater the actual importance of church-organizations, in the broadest view of the end to be accomplished, the more conclusive may be the argument, in a given case, for the dissolution or the extinguishment of a particular local Church. For the very reason that the Church is a *good* institution, it may be the imperative duty of the members of that Church to put an end to its visibility and identity. Vastly more of *good* may thus be accomplished. And singular, most anomalous would it be, if, when it is so often a most difficult question, whether a Church should be formed, it could never afterwards be a question, whether it should be dissolved.

Of the reasons for disbanding a Church, *the majority are as competent to judge*, as of the reasons for any act or measure, which belongs indisputably to their cognizance and control. On board the Mayflower, the Pilgrims recognized the great principle, "THAT THE WILL OF THE MAJORITY SHALL GOVERN." Some of the fathers in the Massachusetts colony, as we have seen, attempted an experiment of church-administration, by requiring unanimous concurrence. They soon found themselves in perplexities, in which, their remedy of *admonition*, and *disqualification to vote*, proved like that for some diseases of the natural body,—which *shifts the place, but keeps the pain.* To *compel* a minority to vote with the majority, by the coercion of *discipline*, would be somewhat worse than what has been charged upon ourselves.

Majorities may err. But certainly, by all experience, they are as much to be trusted, as *minorities* can ever be. And if in the case of Churches, a majority, however large, cannot dissolve the organization, then must it follow, that a minority, however small, may do mischief, and incalculable mischief, for which there is no remedy. By their very covenant itself, in its application to the minority, while mutually under law to Christ, the majority may be "*constrained*" by "the love of Christ" to *declare their church-organization to be dissolved* and *no longer to exist.* And there may be no sufficient reason imaginable, why, in some cases, a majority should retire, voting themselves letters of dismission, yet leaving *the minority* to be the Church. We cannot see why a member can be *excommunicated*, by a major vote,—if an *unanimous* vote is necessary for a Church to disband.

If a majority shall proceed improperly or wantonly, in any case, they are responsible, as individuals, first of all to the Great Head of the Church; but in a high degree, also, to members of sister Churches. They should not be received into the Churches, until they have given evidence of repentance for wrong doing. Those who have not been been partakers of their sin, cannot of course be accountable, as partakers. If they have suffered any temporal injury or inconvenience, they have no reason to be disquieted, as if themselves in fault. And if they wish to be one body, and are capable of sustaining an organization of their own, let them be organized, and let them have the benediction and the supplications of all who pray for the peace of Jerusalem and the prosperity of Zion.

Let them not, however, violate all truth, ecclesiastically, historically, and morally, by a preposterous claim to be the same organization, as before the disbandment by the act of their associates.* Let them neither take possession, nor desire any part of *the property* of the disbanded Church, than such as belongs to them by the law of Christ,—whatever may be the law of the land; remembering the words,—"I THE LORD LOVE JUDGMENT; I HATE ROBBERY FOR BURNT OFFERING."

As it respects the fearful consequences from the distinct recognition of the power and right of majorities to disband a Church, our brethren of the Council would have us think, that they are very much alarmed. Before they "came to judgment," we had heard, that *many* of our Churches would certainly be dissolved, and that very soon, if majorities were understood to have such power. We have not been much troubled.

If it be a fact, that we have any Churches, in which the majority would wantonly and recklessly pass a vote of disbandment, provided *only that the vote would be considered valid*,—we are ready to say of such Churches, that, in all human probability, the sooner the deed was done, the better it would be for the interests of "religion, pure and undefiled." Better far that such members of Churches should be "no members," whether with, or "*without* excommunication."

If also any persons, who have belonged to a disbanded Church, do not see fit to connect themselves with other Churches, and prefer never to use their letters of testimonial, we believe, that, with very rare exceptions, they would be of very little advantage to any Church, and, as things usually are, would not be likely to "grow in grace" any more surely, by a mere "*name to live*," as recognized members of "the household of faith." In any event, it is their own fault, if they remain as *of* the world, while in the world.

The evils of a disbandment of a particular Church have been greatly, and, as appears to us, very wrongly exaggerated in the Result of our brethren. Pictures of imagination, more than of life, have been painted with an unsparing profusion of dark and doleful coloring. The whole of this, we can explain; and if we mistake not, we are not alone in opinion, that sober-minded men of mature age, in writing for the Churches, should aim to write the truth in *simplicity*, as well as godly sincerity, without simulation or *dis*simulation.

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* *That*, they CANNOT BE, let who will vote that they are. A man may just as well be made *his own father*, by a vote of his neighbors.

When speaking of the act of dissolution by the Howard Street majority, the Council put forth all the energies of their mechanical or inflated rhetoric and poetry, as if the extinction of a church-organization was a catastrophe "unspeakably mournful." Yet immediately afterwards, they tell us, that if a Church cease to exist, *by a vote of the members to take letters of dismission*, according to *their* method of extinguishing Churches *Congregationally*, there may not be the slightest objection! So then, after all that they have aimed to do in their onslaught upon us, it seems that the "head and front of our offending" is, that *we think it lawful and honorable* for a Church to die in that particular manner, which is not agreeable to the views and feelings of this Council!

Churches however, it must not be forgotten, *have been dissolved*, or have been extinguished, by *mere majorities in fact*, when the *appearance* was, as if by unanimous consent. A *minority*, also, against the wishes of the majority have taken such measures, with or without good reason, as have brought all to vote, or not to resist a vote, to disband the organization. And when it is said of some Churches, that they voted *unanimously* to take letters to other Churches, the real truth was, that a minority did not vote at all, or voted as they did, because they could not help themselves, or, because, under all circumstances, they chose to submit to the will of others. And it is to be remembered, that, if there is any violation of covenant obligations, when a majority act against the wishes of a minority of *brethren*, in voting to dissolve a Church, or to give and take letters, it must also be an equal violation of covenant obligations, if, although the vote of the brethren is most cordially unanimous, *there is a single solitary female member of the Church, who cannot or will not give her consent to the measure!*

But if any have supposed, that there is any essential difference between the power exercised, or between the moral evils, great as they may be, in the case of the dissolution of a Church by a majority, and the *extinction* of a Church by a vote of all the acting male members to give and receive letters of dismission,—we cannot but think, that we have now presented some considerations, which may lead to a review of their opinions. The difference, in our humble apprehension, is the same as between *dying*, and *not living!* But we all know that the feelings of people are less disturbed by some words than by others. Both euphony and euphemism have their advantages.

Upon the main question before us, there are of course things to be said, on the one side and the other. Intelligent and honest men may differ in their first impressions, and in their more careful inquiries and reflections, in regard to the preponderance of argument. There are unsettled questions in our Congregational system; as for example, whether a pastor should be a member of the Church of which he is the pastor, or whether a pastor, when dismissed, belongs to any Church, if he was not considered a member of the Church of which he was the pastor. Upon such questions, as upon that which we have been discussing, there may be honest differences of opinion; but there should be no angry strife, no denunciation, no bitterness.

The question of the right of a Church to dissolve by a major vote, we have sometimes been told, is a question which may be decided, without reference to any particular case. It lies open to the mind's

eye, and every one may see *what is right* in the premises. We are not disposed to deny this statement; but if it be a question to be decided by every man, according to the dictates of his own intuitive perception and discrimination, or the spontaneous counsel of his personal convictions, we must be allowed to confide in our own judgment,—although at variance with that of any of our brethren, who have declared us to be in error. And we must say to those brethren, that if they wish to bind our hearts with theirs in the cordialities of union and esteem; and if they would promote entire harmony and the happiest communion among the Churches and Ministers of the Essex South Conference, they must adopt a very different style and air of address, from that which so unfortunately characterizes their intensely partisan Result.

If any of our brethren from abroad have imagined themselves to be peculiarly qualified or specially commissioned, under providential direction, to "adjudicate" the ecclesiastical questions of the Churches of the Essex South Conference, and of all the Churches of our order in Massachusetts, they must bear with us, if we suggest to them, that they may have essentially mistaken their calling. We are ready to receive any counsel, which, at proper times and in a truly fraternal spirit, they are pleased to offer us. We will also give our attention to any further arguments, which they may wish us to examine; and, so far as our self-respect, or our sense of duty may require, we shall endeavor to vindicate our opinions, until convinced that we are in error. This is all which they can reasonably ask. It certainly is all which we can encourage them to hope.

We have desired to meet them, at every point, fairly, candidly, and effectively. We have made no false issues. We have no disguises. We have sought to exhibit the exact truth of facts, and the exact force of arguments. Conscious of infirmities and deficiencies, neither few nor small, we yet shrink from no test of reason or of revelation. In the fear of God and the love of Christ, we hope, not unworthily, to maintain the Congregationalism, which we have received from the fathers, whose memory we delight to honor. In its true principles and results, under a wise, impartial, and benignant administration, we believe, that it is the most just and safe, as well as the most free and ennobling of all forms or institutions of ecclesiastical polity.

And may "the God of peace," who is also "the God of patience," give us wisdom, with every grace of his good Spirit, that we may never, by any act or influence, either publicly or privately, contribute, in the smallest measure, to impair confidence in its character,—to mar its intrinsic beauty,—and to turn its "glory and virtue" into shame and contempt. May our brethren also, with ourselves, be blessed abundantly from on high; and all "find mercy," "in the day, when God shall judge the secrets of men, by Jesus Christ, according to" the "Gospel!"

APPENDIX.

[p. 12.]

At a meeting of the Tabernacle Church, April 19, 1850, the following votes were passed:—

Whereas, a certificate of the late Clerk of the Church has been published, stating that he "had furnished brother Ezekiel Goss with copies of the following documents, viz: 1. The vote of the Church, August 25th, [24th,] 1849; 2. The Report of the Committee which was appointed to state to him the reasons why his request was not granted; 3. The resolutions adopted by the Church respecting Howard Street Church, and the second vote declining to dismiss him, passed September 28th, 1849; 4. The reasons put on record for declining his request for a Mutual Council, and that these are all the record of proceedings in his case up to the 20th of November, 1849;"

And whereas, upon examination of the Records of the Church, it has been found that no record was made of other important proceedings,—Therefore,

Voted, 1*st*, That the Records of the Church be so amended, that, in addition to what was recorded as the proceedings of the meeting, September 14th, 1849, the following entry shall be made:—"A resolution was offered, viz: 'Resolved, That the explanations of brother Goss in regard to his leaving the Church with unkind feelings, be accepted by this Church as perfectly satisfactory.' After some discussion, the resolution was laid upon the table."

Voted, 2*dly*, That the following entry be made, in addition to the record of the proceedings of the meeting, September 28th, viz: "After the Report of the Committee appointed September 7th, to explain to brother Goss the reasons why the Church did not grant his request for a dismission, the resolution which was presented at the meeting of the Church, September 14th, was called up from the table and considered. Objections were made, and a vote being taken, the Church refused to pass the resolution. The pastor also requested the Church to take a vote upon the question, whether the Committee, appointed September 7th, were authorized by the facts in the case to make the statement which they did to brother Goss, as contained in their Report. A vote was accordingly taken, and the question decided in the affirmative. *The Church thus approved the doings of the Committee, and virtually adopted the Report which had been previously accepted.*"

Voted, 3*dly*, That the omission of the Clerk to record in full the doings of the Church, at the meetings of September 14th, and September 28th, may be explained, without imputing to him a design to make a record, which, by its omissions, might operate to the advantage of brother Goss.

Whereas, also, in the published certificate of the late Clerk of the Church, dated December 26th, 1849,—it is stated, "that, on the 26th of October, it was repeatedly said to Mr. Goss, we have nothing against you";—

Voted, That these words, as naturally understood, are suited to make an erroneous impression;—no member of the Church having used any such words to brother Goss, without saying, or supposing himself to be explicitly

understood to mean, as saying,—"We have no charges *before the Church*, against you. You are not upon trial, and therefore, it is not in order for you to address the Church, as if you were."

The above amendments, with the accompanying correction, were adopted without debate,—no one voting in the negative.

Attest, GEORGE C. HODGDON, *Clerk.*

Salem, April 27, 1850.

[p. 38.]

We copied all the quotations, in respect to the nature of a covenant, intending to insert them here, that the reader might see at a glance, that not one of them touches the point, which the Council have assumed as their fundamental position. Our space is otherwise needed. But we cannot refrain from remarking, that we hope our brethren will not be imitated in such a manner of quotation and such a style of grandiloquence in general. It is no mark of erudition to copy names or titles of authors, pamphlets, or books,—with a few extracts,—from the mass which can be found in some Historical Collections,—illustrative of the period of the fathers,—which one of the writers calls "*this pamphlet-glutted age.*" And after quoting a sentence of what "Rathband says," in 1644, it is not in the highest style of scholarship merely to add,—"To whom Welde, of Roxbury, replied";—especially, if there *was no* "*Welde, of Roxbury,*" *after* 1641.

[p. 49.]

For example. "It may sometimes come to pass, that a church-member, not otherwise scandalous, may *fully withdraw*, and divide himself from the communion of the Church to which he belongeth. In which case, when all due means for the reducing him prove ineffectual, he having thereby cut himself off from that Church's communion; the Church may justly esteem and declare itself discharged of any further inspection over him. Heb. x. 25; Rom. xvi. 17; 2 Thes. iii. 14." (Heads of Agreement, Congregational and Presbyterian, 1690. See Magnalia, Vol. II. Upham's Ratio, &c., p. 307.) The Tabernacle Church, for at least forty-five years, have recognized the propriety of this course.

In the answer to the "Sixth Position," from which we have quoted, (p. 17,) it is said of a person, who desired to leave the Church, and the Church could not give consent: "If after all this, we see his spirit stedfastly and stiffely bent for a departure, then, though we dare not act against our light by consenting or counselling, yet, if his sinne be apparent and danger eminent, we use rather through indulgence (in cases of like nature) to suspend our vote against him, as not willing against his will to detain him, abhorring to make our Churches places of Restraint and Imprisonment." We are not sure, that we understand this statement. If we do, it is very plain, that, in the early Churches, members were sometimes allowed *to make themselves* "*no members without excommunication.*"

[p. 76.]

Result of Council advising the Dissolution.

SALEM, APRIL 14, 1847.

It appears that the pastor's request for a dismission arises from embarrassments which have rendered, in a great degree, abortive his earnest and self-denying efforts for a course of years, and which embarrassments have now come to a crisis, so that we can do no less than accede to his request, and we hereby *declare his pastoral relation dissolved.*

We tenderly sympathize with the Rev. Mr. Mann, in his afflictions and disappointed hopes, and most cordially recommend him to the Churches of

Christ, as *sound in doctrine; earnest, able and faithful in preaching; kind, amiable and acceptable in the relations of social life, and heartily devoted to the true ends of the ministry.* And we deem it due to him to say, that his failure of the desired success in extricating this Church from its embarrassments should not be used in disparagement of his ministerial character in any respect.

And since the embarrassments which have so far frustrated his ministry still exist, without prospect of change, while the Church retains its present organization, we would suggest the inquiry whether the best good of all concerned would not be consulted by a dissolution of that organization, and the members connect themselves with other Churches in this city. A step so uncommon, we think, is made expedient by reasons as peculiar. It is not that we think that there is not ability and piety enough to sustain the enterprise in favoring circumstances. There are materials of great value in this Church, but they stand in such relations as to hinder their efforts for good. Nor is it true that our denomination in this city have Churches enough without this. The prospect rather appears to be, that if this is dissolved, a new one will soon take its place. We would, therefore, advise that the present *organization*, if it sees fit, vote a *dissolution;* and if the proprietors of the meeting-house see fit, to close it a while and wait for the movements of Providence, we feel persuaded that the time will soon come when the way will be made to open it under better auspices. A new organization formed for the purpose, would of course stand clear of most of the embarrassments of the present.

We deem it to be our duty in concluding this Result, to call upon some of the individuals of the Church to reconsider the manner in which they have treated their pastor, during the existence of the difficulties which have given occasion to the calling of this Council. Saying nothing of those who have been in fault in other matters, there has been a disposition on the part of these, to push some favorite points to extremes;—a want of charitable construction of the pastor's motives and conduct in relation to points on which there existed a difference of opinion between him and them; and a deficiency of that kindness and courtesy which he had a right to claim as a Christian minister, and particularly as their pastor.

The Council hope that they will see their error, and that in whatever future ecclesiastical connection they may be placed, they will seek to be possessed of a spirit of wisdom, and of a sound mind, and will remember, that *charity*, *kindness* and *forbearance* are as important parts of Christian character, as zeal in suppressing the errors and vices of society.

PARSONS COOKE, *Moderator.*

E. A. LAWRENCE, *Scribe.*

[p. 107.]

So much has been said respecting the sale of Howard Street *bell*, *organ*, &c., *as if unauthorized*,—and other erroneous statements having been circulated,—we here present some facts and documents.

At a meeting of the proprietors, regularly notified, May 28th, 1847, it was Voted 3d, That the standing committee shall ascertain what is the amount of all the debts due from this corporation, and report at an adjourned meeting, one week from this evening; and that they be authorized to raise, in some way, what money may be necessary for immediate use. June 4th, the proprietors met by adjournment. The committee stated, that they had been unable to raise money in any way. The minority were then asked, if they had any proposition to make. They declined making any. It was then Voted, That the standing committee be, and they are hereby authorized to sell so much of the corporate property, as will meet all the legal demands against this corporation, viz., the organ, lamps, carpet on the aisles, the bell, and the furnace, if necessary, to liquidate the debts due from this corpora-

tion; and report their doings to the proprietors at a meeting called for that purpose. *The above vote was passed with only two dissenting.*

The standing committee thus had the power to sell the above articles at once, but they waited, hoping that some other course might be practicable. Not one of the above articles was sold, until more than two months after the vote to sell. On the 2d of August, a note became due at the bank, which had been given by the former treasurer (who was one of the minority) to Mr. Mann, and endorsed by Mr. Mann. The payment of this note had been guaranteed by six of those who continued at Howard Street. On arriving at maturity, the note was unpaid. Mr. Mann was desirous of being released from his liability to the bank, and likewise desirous of being paid for his services subsequent to the last settlement by the note. The minority were notified, that unless the bills were paid, the property must be sold. The committee offered to sell the property to the minority, but these refused to buy. Offers were repeatedly made to the minority to have the whole property appraised by disinterested men, and after the appraisal, they might either buy or sell. Other offers were made, to have the whole subject in regard to the house referred; but these they also declined.

March 20, 1848, a meeting of the Proprietors was called, at which it was Voted, That it is expedient to sell the property of the corporation for the purpose of paying its debts and dividing the surplus, if any, equitably among the proprietors; and that we fully concur in the petition of R. P. Waters and others, now pending before the Legislature. The vote stood 29 yeas—9 nays.

It having been ascertained that there was no prospect of adjusting the difficulties, and expense continuing, such as rent for cellar and interest money, it was thought best to close the concern. Immediately after the vote of June 4 was passed, an individual of the minority who was present, and strongly objected to paying the debts by assessment of the pews, but did not object to selling the property, had an attachment placed on all the articles which it was voted to sell; thus endeavoring to prevent paying the debts. The committee became personally responsible to the sheriff, and sold the articles. The suit was brought for $1,000.

The plaintiff and four others, as if representing the proprietors, commenced *a new action* at law against the committee, who had retained part of the money received from the sale of the articles, but had offered to pay the debts—the plaintiff's among the rest—provided he would relinquish his suit for the recovery of the money. Thus were the committee placed in a situation, in which they could not pay the money, without risk to themselves, and requiring them to defend themselves, in two actions, for the same money.

The following Agreement was written by S. E. Sewall, Esq., Plaintiff's attorney.

It is agreed by and between the parties to the suits now pending in the Supreme Judicial Court, in the County of Essex, April term, 1849, between Daniel Millet against Isaac P. Foster and others, and the Howard Street Church against Isaac P. Foster and others.

The said suits shall be dismissed by an entry of *neither party*, each party paying his own counsel fees.

The defendants in said suits agree, that they will account for all the moneys received for the sale of the bell, organ, lamps, carpets and church-furniture of the Howard Street Church.

The defendants are to be allowed for *all* sums paid for debts, justly due from said corporation, and the balance of the money is to be paid to Mr. Michael Shepard, who is to apply the same to pay the following debts now due from the Church, to wit:—cellar rent, note due Benjamin Trask, balance due Henry Hale, and balance due Daniel Millet. Said Shepard is to adjust, as referee, the amount due said Hale and Millet, about which contro-

versy may arise. And the said Shepard shall also audit the accounts of said defendants.

The defendants are to be charged with interest on all sums received by them, except for such time as they can show that the money, or any part of it, was specially deposited, as the money of the Church, or for the benefit of said Church. The balance of the money to be paid on the note of Mrs. Saunders.

Said Shepard, as referee, shall decide any disputed claims. The bill of N. J. Lord, Esq., for counsel fees, amount $34, not to be brought into this account.

Signed,
S. E. Sewall, Plaint'ffs Att'y, both cases.

Signed,
A. Huntington, Def'ts Att'y, both cases.
Daniel Millet.
Isaac P. Foster.
Henry Hale.
A. T. Brooks.

May 2, 1849.

The subscriber, by consent of parties, appointed Referee in the case of Daniel Millet vs. Isaac P. Foster and others, and Howard Street Church vs. Isaac P. Foster and others,—having met the parties at several different times, heard their claims and objections to the same, and having duly considered the matter, do award to the several persons hereafter named, the sum set against their respective names in full for their several claims and demands, viz:—

To Daniel Millet,		$220 59
" Henry Hale, for self and J. & H. Hale,		154 33
" Benjamin Trask, note and interest,		56 80
" Isaac P. Foster, for allowance by general consent, for cash paid Miss Barker and Mr. Emilio,	25 00	
" R. P. Waters vs. D. Millet,	5 10	
" T. & A. R. Brooks's bill,	75	
" Aaron Smith,	3 00	
" cash paid P. E. Webster for cellar rent, per receipt,	97 50	—131 35
		563 07
To Charles F. Bates, the sum of $94 00, payable in pews in the meeting-house of the value aforesaid, being for $23 50 advanced in cash.		
Leaving the sum of $389 66 on account of the note to Mrs. Saunders,		389 66
		$952 73
The referee received of Isaac P. Foster, for the balance due on sale of church organ, and for interest paid by him, the sum of $936 82,		936 82
The sales of the bell, lamps, and church-furniture were settled for by Mr. Foster, with Henry B. Smith, Treasurer, and duly accounted for in said Treasurer's account.		
Balance of account due from Henry B. Smith, Treasurer, 1847, paid the referee,		15 91
		$952 73

Signed,
Michael Shepard, *Referee.*

Salem, May 31, 1849.

And thus was the money appropriated at last, just as the Proprietors' Committee had wished to appropriate it, before the suit was commenced by Mr. Millett. Upon other parts of the foregoing statement of facts, we leave the candid to make their own comments. The Proprietors, by a very great majority, were determined that the debts of the corporation should be honora-

bly paid. And they could not, therefore, leave in the hands of the minority the property which had been set apart for this purpose,—although the minority were ready to assume the debts, if they could be allowed to retain the property. The church-plate is held by the minority, under bonds; and the house of worship is occupied, without the possession of the keys of the Proprietors. Those who had the possession, May 4, 1847, have never surrendered the least part of their legal right in the church-plate, or the house of worship.

[p. 114.]

We have in mind a small Council, convened in the early part of the year 1775,—by a Letter Missive of "fourteen brethren," "representing that the Boston Presbytery, sitting in Salem, in September last, had declared them, (together with many sisters of the Church, provided they did not return in the time limited, now past,) *to be dismissed, &c.*, but without censure; and *requesting advice and assistance in a re-establishment of church-order.*" The Council proceeded to organize "the fourteen brethren," with a larger number of females, and formally recognized them as a sister Church in good and regular standing. Having done thus, they voted, that "*in a reasonable and just construction*" they were the very Church from which they had been dismissed, and from which they had previously withdrawn; not, however, *the Church as it then was*,—or as it was *when those brethren withdrew from it*,—or as it was *when some of them were its Presbyterian elders*;—but as it was, *twelve years previous*. This was about equal to the doings of the first, or of the last Ex parte Council, at Howard Street. "We speak as unto wise men." *They* may "judge"!

Letter Missive for the Mutual Council, April 14, 1847.

The Howard Street Church to the Church in Lynn, sendeth greeting:

Rev. and Beloved,—Our Pastor, the Rev. Joel Mann, having renewed his request for the calling of an Ecclesiastical Council to dissolve the pastoral relation subsisting between us, if it be found expedient, and we having acceded to his request, you are hereby invited to attend, by your pastor and a delegate, to consider and act on that subject, and to give such advice as may be found needful in connection with your result, on Wednesday next, at 9 o'clock, A. M., at the Vestry of said Church.

With Christian salutations and love, we are your brethren in Christ,

J. Mann, *Pastor.*

Salem, April 7, 1847. George H. Smith, Isaac P. Foster, } *Com. of the Church.*

The other Churches invited are the Crombie Street, Salem, Washington Street, Beverly, North and South Danvers, and Marblehead.

In a letter of Rev. Mr. Mann,—Kingston, R. I., Oct. 19, 1849,—it is said: "I desire it to be understood and distinctly stated, that I did not advise a single member of the dismissing Council to recommend the dissolution of the Howard Street Church. I knew not that such a step was contemplated, until I learned, that it had been agitated in the first Council. Learning that, I remarked to some friends, that I should not be surprised if the second Council should recommend a dissolution. So far as I know, the measure originated *wholly* in the view which the Council had of the exigencies of the case. It is much to be regretted, that the Ex parte Council did not take ground with their brethren, as to the fact of dissolution, and then, if they deemed it best, advise the formation of a new Church. This would have avoided all disputation."

DR. HITCHCOCK'S REMONSTRANCE.

I agree, substantially, with the Council in regard to the facts in this case, which are these. In the year 1847, a Mutual Council, called by the Howard Street Church in Salem and their pastor, Rev. Mr. Mann, advised said Church to dissolve, as a Church, providing letters of recommendation for each member, by which each one could unite with some other Church at his own election. In the same year, after due deliberation, the Howard Street Church voted thus to dissolve; seventeen voting for the dissolution, and ten against it. In the year 1849, Mr. Ezekiel Goss, a member of the Tabernacle Church in Salem, requested a letter of dismission and recommendation to the Howard Street Church; the said ten who voted against dissolving the said Church claiming to be the Howard Street Church, as though no vote of dissolution had been passed by the majority. To that request the Tabernacle Church objected, because in their opinion, there is no such body as the Howard Street Church, regularly organized, and because of some alleged irregularity in the conduct of Mr. Goss. Mr. Goss having asked a reference of his request to a Mutual Council, and having been refused, called an Ex parte Council for advice. The Council, thus called, have voted to sustain Mr. Goss, and if need be, to recommend him to the Howard Street Church, and also that the persons now claiming to be the Howard Street Church are said Church as it originally existed.

Against this action of the Council, the subscriber begs leave, with feelings of great deference, and the high personal regard which he entertains for each member of the Council, to enter his remonstrance, including the following objections.

[The first objection, which relates to the case of Mr. Goss, has been already cited in full, on pages 33 and 34, of the preceding Review.]

2. I am so unfortunate as to differ in opinion from the Council in regard to the existence or non-existence of Howard Street Church. But here I wish to say, once for all, that towards the individuals claiming to be said Church, I have none but the kindest feelings. With some of them I have had a pleasant acquaintance; they having been once members of my congregation. I should love to gratify them all by my vote on this occasion, if I could do it conscientiously. But these are my difficulties.

Is the vote to dissolve said Church, by the majority of its members to be pronounced a nullity, on account of its nature, its conditions, or its inherent wrongfulness? If so, then all proceedings growing out of it, and based upon it are alike nullity. "From nothing nothing can come." The letters of recommendation to its members are a nullity, the reception of some of them into various Churches is a nullity; they are still members of Howard Street Church, and as such have the right to act and decide, in said Church, on all matters of importance that may come before it. It follows that the persons claiming to be Howard Street Church, before this Council, are such only in part, and all their acts as such part are null and void. Their act in withdrawing fellowship from or excommunicating, all those members who took and used, in a proper manner, their letters of recommendation, has no force. Shall we decide that the act of the very same men, on the same time, in dissolving a Church, is nothing, and their act in recommending members is sound and good? especially, as this latter act, the granting of commendatory letters, is based upon the former, the dissolving of the Church?

Can we decide that the vote to dissolve the Church is a nullity, because it is not lawful, in any case, for a Church to dissolve itself? In looking at this question, it may be well to inquire what right any competent number of

persons have to form a Church? The answer is, that they have the right to do so, when they believe, by so doing, they can best enjoy the public worship and ordinances of the gospel, and exert a greater and better influence upon the world. Now if, upon experiment, they find that these ends are not accomplished by their organization, and can be better answered by dissolving, have they not the right to dissolve? Is it not as clearly their duty to do so, as it was to form? Is not the act of dissolving, in its nature, as lawful as the act of forming? Have not sundry Churches acted on this principle, without rebuke? Was not the Robinson Church in Middleboro' dissolved on this principle? and the late Church in Boston which worshipped in the Marlboro' Chapel? and more recently a Church in Charlestown? and others? Were these acts of dissolution all unlawful, and therefore a nullity? And who is to judge whether any particular Church does answer the proper ends of its organization? Is it not clear that this question must be left to the decision of the brethren constituting such Church? As there is no power that can enjoin upon any number of persons to form a Church, or hinder them from doing so, it follows that they are the sole judges on the question of dissolution. Advice may be asked, and given, and taken, but the decision of the brethren is valid and final. Their act, in dissolving, is a lawful one.

The merits of the question, whether Howard Street Church, previously to the vote of dissolution, accomplished, in a proper manner, the ends of its organization, are not before this Council. The party calling us admits that the Mutual Council which recommended its dissolution, did so for the alleged reason, that Christian discipline could not be maintained in said Church. And no proof has been adduced to show that it could be. No one has ever *said* that it could be. The Result of that Council has been refused to us, though called for; and it was in evidence, that it could, in all probability, be easily obtained. In regard to the merits of this question, we have only these two facts. The one, that a Mutual Council of sister churches, in the neighborhood of Howard Street Church, advised to its dissolution. How came they to do so? What thought would be further from the minds of a Mutual Council, formed by Churches in the immediate neighborhood of the Church in Braintree, or of Mount Vernon Church, Boston, than the thought of advising to the dissolution of either of those Churches? Must there not have been great want of order, at the time, in Howard Street Church? The other fact is this. It is in evidence before this Council, that such were the difficulties in Howard Street Church, at the time of the vote to dissolve, that numbers of the brethren refused to attend her meetings. Into this state of things this Council has not been permitted to cast a glance. The question, as laid before us, by the party calling us, has been, virtually this, was not the vote to dissolve the Church, so far technically wrong, wrong in regard to the order of business, as to be null and void?

It is a well known rule that our Churches ought not to dismiss their members to the world. They can only be severed from the Church by death, or by excommunication, or by removal to some other Church. On this ground it is contended, that no Church can dissolve itself, because, though as in the case of Howard Street Church, letters of recommendation are provided for every member, yet there is no security that they will be accepted, and properly used; and if not, members will be virtually dismissed to the world. This, as it appears to me, is a liability to which all Churches are necessarily exposed, without their own fault. We give letters of dismission and recommendation to our members going West, to Missouri, to Minesota, to Oregon, to California, without any security that they will ever be used in a proper manner. And if not, as our brethren are gone beyond our call, they are virtually dismissed to the world. The fault and the responsibility are theirs and not ours. This argument, therefore, against the right of a Church to dissolve itself, if it prove any thing, proves too much, viz., that we can

never give a letter of dismission and recommendation to a member of the Church, unless he will come under bonds to keep within hailing distance.

Can it be said in truth, that when a Church votes to dissolve itself, providing letters of recommendation for all its members, they are thereby cast out upon the world? Does not every well-ordered Church hold fellowship, not only with all the members of all other Churches, but also, with all such as have good letters of recommendation, and admit them to occasional communion, where Christian character is maintained? Yea, do they not go further, and when a Church, as in some cases has occurred, is dissolved by decay, and removals, till but one member remains, take parol evidence in the case of that one, instead of a letter, this being the highest evidence the case admits? To suggest that some members of a Church voting to dissolve, may know of no Church with which they are willing to unite, is to cast reproach upon them for their want of attainment in "the bond of perfectness." Such a thing should never be said respecting our brethren, without the most stubborn evidence, the direst necessity.

Can we decide that the vote to dissolve Howard Street Church is a nullity, because the members were not all agreed in the vote, because there was a minority, and therefore, that the minority are now the Church? If we take this ground, we virtually, if not explicitly, declare that the minority, have the right to *veto* and *nullify* the act of the majority. The majority decide that Howard Street Church *is not*. The minority decide that *it is*, and this Council say the minority is to be sustained in their decision. It seems idle to attempt to conceal this point. The facts speak for themselves, and intelligent and unbiassed men have ears to hear, and they will hear. Now this principle, that a few can thus control the many, appears to me a doctrine of despotism, to which I am persuaded my neck was never made to bow. I have given thanks to God for many years that I and my children are governed by majorities, and not by a few. There is an inherent probability that many will not be so likely to err as few. "In the multitude of counsellors there is safety." Any action which shall sanction the existence of an aristocratic minority in our Churches is entitled to receive my serious, but feeble and fallible remonstrance. I am aware that majorities may, and sometimes do act, oppressively, and when they do, it is very desirable to afford all consistent relief possible, to the individual or the few who constitute the minority. But in attempting this relief should we not use all precaution against inflicting greater injury upon large communities? And will not our conceding the principle that, in some instances, a minority may exercise the veto against the act of the majority, expose our Churches to great confusion and dissension? Who shall bound or limit the instances in which this power may be used? Who is willing to belong to an association in which a minority of one or a few can block the action of the whole body? What sound lawyer or financier would advise a man to invest property in an association thus managed?

I have been aware, for some years, that a desire is floating in the community to impose some check upon the action of majorities. More than once have I been asked if I could not suggest some method by which this could be accomplished. I have never seen the subject before any grave body of good men until the late meeting of this Council. It seems that now a beginning is to be made in the work, a new rule of action introduced, even this, that in matters touching the alteration or dissolution of a covenant, majorities shall not rule, and minorities shall have the right of a veto upon their action. But is not the remedy worse than the disease? Be it so, that majorities sometimes act oppressively. What then? Are we sure that minorities will not, if they have the power? Has power in the hands of one or a few never been abused? Let us not do a thing in our haste, which we shall not love afterwards.

An attempt is made to represent this as an exempt case. The reasoning

is, that while, in the greater part of the proceedings of a Church, the majority should rule, in cases like this, where the action respects a covenant, a constitutional basis, a majority should not be allowed to decide. I am well aware that there are cases in regard to civil constitutions, where a constitutional provision is made for a peculiar quorum, either two-thirds or three-fourths being required to render the action valid. But in all cases, where no such constitutional provision exists, a majority is a quorum. Have we any such constitutional provision for a peculiar quorum in our Churches, in regard to acts pertaining to a covenant or constitution? If so, when and where did it originate? If not, a majority is a quorum, and its acts are valid and final. Church covenants have been revised and altered in numerous instances, and since the days of Jonathan Edwards, some scores of half-way covenants have been dissolved. Was this not done by majorities? Was Edwards obliged to wait till every man in the Church would agree to abolish a half-way covenant before the thing could be done? Let us look to the future. We are now mourning the general withdrawing of the Holy Spirit from the young. The Churches are dwindling. This was the case with our fathers, and in their alarm lest Church after Church should become extinct, they invented the half-way covenant. May not our children do the same thing, or something worse? It belongs to the very genius of Congregationalism to have the right to modify a covenant, because it arose and has lived in opposition to an established religion. If we may not modify a covenant, we have as truly an established religion as any in the world. Any obstructions which we throw in the way of so doing, would be suicidal. If the next generation shall introduce un-Christian covenants, and some future Edwards shall be raised up to reform the Churches, shall we hamper him with the rule that on such a subject, a majority shall not govern, and all the stereotyped heresy, and petrified folly which a godless generation shall have thrust into church-covenants, must stand till every member of the Church shall agree to their removal?

For myself I certainly would not demand more than a majority in any Episcopal Church, to dissolve her covenant of baptismal regeneration, nor would I ask for more in any Baptist Church to abolish her covenant of close communion. It is self-evident that any authority which can modify a covenant, can abolish it. The apostle appealed to our common sense when he declared that only such things as cannot be shaken are the things that remain. I therefore enter my remonstrance against the proposed rule, that no Church can be dissolved until every member consents. Have not articles been introduced recently into some of our Churches, prohibiting the admission of such men, hereafter, as traffic, or dabble improperly, with alcohol or slavery? And is it ever required that every member must agree to such an act, to render it valid and binding?

What effect would the above named rule have upon the question of property? If the vote of the majority to dissolve Howard Street Church is invalid and a nullity, and those constituting the minority are now the veritable old Howard Street Church, then, as we are told by high legal authority, all the property belonging to said Church, at the time of the vote to dissolve, belongs now to the minority. The same would be as true had the minority been but one. Is this according to the law of righteousness, the law of Christ? Is there here no temptation to man to constitute himself a minority? no bounty upon disagreement among brethren? Can it be that a Christian Council will sanction such a principle? There is something in man's heart which led the great Guardian of right to declare, "Thou shalt not covet." Shall we, by our decision, add provocatives to nature on such a point?

With these thoughts, I remain the Council's most affectionate brother,

CALVIN HITCHCOCK.

LETTER FROM REV. JOEL MANN.

Since a part of the Review in the foregoing pages has been published, a Letter from Rev. Joel Mann has appeared in the New York "Independent" of May 16th. It is a document which sufficiently explains itself. And it is thought to be so timely and so valuable, that we wish to give it a circulation, as far as we can, in connection with the Review, which it so entirely confirms. Upon some points, the testimony of Mr. Mann will be found to be of very special interest. We cannot but indulge the hope, that *the truth of facts* will eventually prevail.

[From the New York "Independent."]

MESSRS. EDITORS,—Being at the house of a clergyman a few days since, I took up your paper, and seeing an article headed, *The Salem Case again*, I read it, not so much with surprise, as regret, for I have lived long enough to learn not to be very much surprised with any thing. The writer of the article is Mr. Wilder, the present pastor of the Howard Street Church. Alluding to something published over the signature of "Thurloe," he says, "Permit me to do what for want of the proper knowledge of the facts, Thurloe could not do—state the facts in the case." Would that the said pastor had performed what he undertook, and had stated "the truth, *the whole truth, and nothing but the truth.*" The failure to do this, has made the following statement and correction necessary.

I was installed pastor of that Church May 6th, 1840, and continued its pastor seven years, lacking about a month. After a while, difficulties arose connected with ultra-Abolitionism, Second Adventism, Millerism, and Perfectionism, which sentiments a portion of the members embraced and maintained, I doubt not, conscientiously; but which myself and the majority of the Church did not embrace nor approve. The pleasant harmony with which we had been favored vanished, and with it our encouraging prosperity. One hundred dollars was deducted from my salary, and then one-third of the whole, so that it then paid about one-half of my current expenses. Grieved and worn out with the difficulties, and seeing no prospect of a favorable change, I requested a dissolution of the pastoral relation, though I should have been willing to have remained with them, making great pecuniary sacrifices, if they had been united.

The Church met to act on my request, which being assented to, we proceeded to appoint and convoke a Council. I stated to the Church that the usual mode of proceeding was for the pastor to choose one-half, and the Church the other half, but that I was willing that they should choose the

whole. It was concluded to invite the Congregational Churches of the city, and those near us in the immediate vicinity, making twelve in all. A few individuals insisted that there should be one or more Churches at a distance, which, as alleged, would be favorable to their particular views. More than once, I expressed a willingness that they should be gratified. The Church voted by a large majority to invite the twelve neighboring Churches. With what propriety, then, can Mr. Wilder, the present pastor, say of those individuals, "They had no voice in calling that Council"? Has a minority no voice, unless they can have every thing in their own way, and in opposition to the will of the majority?

He next states, that this Council "Voted to advise the dismission of the pastor." Just the reverse of this was the fact. After having "voted unanimously" that so far as any thing had appeared before the Council, the character of the pastor is "unimpeached and unimpeachable," it was "Voted that it is *not* expedient that the pastoral relation between the Rev. Joel Mann and the Howard Street Church be dissolved." These are quotations from the Result.

The tissue of misrepresentation which follows this is astonishing, considering that Mr. Wilder had undertaken to "state the facts of the case." After saying that the pastor continued to supply the pulpit for two or three weeks, he adds, "On one of these Sabbath evenings, some of the Church who acted with the majority, met at the house of the pastor, and consulted respecting the project of dissolving the Church. It is said that the brethren concluded that it was expedient. One dissented." I am here represented as plotting with others for the dissolution of the Church. It is an unkind aspersion, and sadly at variance with the fact. There never was a meeting held in my house, nor, to my knowledge, any where else, to consult for such a purpose. That Church had been very dear to my heart, and I had labored to the utmost of my ability and strength to build it up; many precious converts had been added to it; I had wept and prayed much over its dissensions, and had expended a large amount from my own resources, exclusive of what I received as salary, to sustain myself in these efforts for its prosperity. It was a painful thing to me to separate from a people I had loved; and before I moved at all in that matter, I invited a number of brethren to my house to ascertain whether measures would be taken as the gospel directs to remove difficulties, and thus *save the Church;* and I was then assured that nothing could be done. This was three months before the *calling* of the first Council, and this caused me to make up my mind to request a dismission.

So far as I have any knowledge of the matter, the project for a dissolution of the Church originated in the private deliberations of the first Council, being suggested by the exigencies of the case. So I was informed by a lay member sometime afterward. The wise and good brethren perceived that the chasm which separated the members of the Church was so deep and wide, that they could not be brought to harmonize in one body, and discipline could not be exercised. So they state it in their final result. The dissolution was no project of mine; nor did I ever advise a single member of the Council to that measure. During the interval between the two Coun-

cils, which was about eight weeks, a part of which time I spent in Rhode Island, I was careful to avoid conversation on that subject with neighboring ministers and church-members; and I challenge the strictest scrutiny in this matter. True it was, that I could not see, nor could any body see, how the members of that Church could ever walk together again without a vast change in their *sentiments and feelings.* In private conversation with a few individuals after the calling of the second Council, I did say, that "I should not be surprised, if a dissolution of the Church should be recommended." This remark was based wholly on the fact, that such a measure had been proposed by an influential member in the first Council, and was discussed, and approbated by a number, whom, and how many, I have never known. The above remark, I presume, is what Mr. Wilder has to rest his assertion upon, that "the pastor was heard to say that it would be dissolved."

Finding on my return home, that nothing had been done to settle difficulties, I renewed my request for a dismission, and the calling of the second Council. The Church met, and agreed that it was not necessary to invite the whole twelve Churches, as there would probably be little to be done but to grant the dismission, all the difficulties having been so thoroughly examined by the former Council. It was agreed, therefore, as had been customary in my experience in such cases, to reduce the number. Those invited were, however, *the very same* as belonged to the first Council, and who, of course, *knew the whole state of affairs.* When the question was made, how shall we proceed to appoint the Council, the Church wished me to nominate. I declined, and again expressed my willingness to leave the choice to them. They insisted that I should nominate, which I did, and they did the same, and the election was made accordingly, as I believe, without dissent. But Mr. Wilder intimates that this Council was made up of new members, who had little or no knowledge of the state of affairs; whereas, they were the same pastors, and so far as I know, the same delegates, as had spent two and a half days, and by adjournment, another half day, on this identical subject. He says reproachfully, "That Council was in session less than four hours, and yet they dismissed the pastor, advised the dissolution of the Church," &c. Is this consistent with an honest purpose to "state the facts of the case"?

What Mr. Wilder says about "leaving out some men—who had become odious to the pastor, and B. and his party in the Church," does not indicate very satisfactorily, a candid state of mind. The reason for leaving out is given above. Those he calls "his party" were a large majority of the truly excellent and money-paying members.

Passing over other things I would notice Mr. Wilder's assertion, that this "small Council" which was in session only "three or four hours" "was in the highest sense *ex parte.*" The manner of appointing that Council, as stated above, by the pastor and the Church, acting in concert and mutually, shows how entirely untrue that assertion is, who, and what was the party on that occasion.

As wanting in truth is the next assertion, viz: "They had not the condition of the Church before them in any proper sense." And yet those six pastors, with their delegates, had, only eight weeks previously, spent three

days in patient, careful, exhausting examination of the whole matter!! But this is in keeping with much that has been said relative to those discreditable difficulties.

"The people will of course judge," but if they knew the facts as I know them, they would judge very differently from what Mr. Wilder would have them.

He informs the public, that the so-called Howard Street Church now has peace and harmony. This is a reason for thankfulness; and it shows that the Council acted wisely in advising a dissolution of the Church. Peace they could not have had without that measure. It has been dearly bought; may they long enjoy it.

Yours, &c., JOEL MANN.

Kingston, R. I., April 25, 1850.